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RECOLLECTIONS

1844-1909

BY

HENRY CLAY McDOUGAL

KANSAS CITY, MO.
Franklin Hudson Publishing Co.
1910

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1911

FOREWORD.

In the foreword may generally be found the writer's only reason for printing; hence it should be read, but seldom is.

These recollections were commenced last spring, largely for the threefold purpose of preserving my personal experiences with and reminiscences of a few of the men and women I have known; saying a word or two incidentally of some places I have been in; and adding, under each name as a mere setting, some observations and reflections, thoughts and theories of my own. All this was originally intended for the tearful perusal of family and friends after my death; but these are now the first to urge publication while I am still on earth. In every person, thing, or book there is to me some good. Man is dual—physical and mental. In younger years the former takes care of itself; but late in life one realizes that intellectually no man or woman, thing or book is worth while unless one is thereby made to think. In early life, with some degree of impunity, the laws of God and man may be, and often are, violated; but later I have degenerated into a sort of lazy brute and enter a plea of guilty to any kind of charge and yield any point, rather than take the trouble to either deny or explain. Then, too, I have long believed that the married man who does not keep on the good side of his wife is a chump. While admitting that I never taught school, robbed a train, murdered a baby, or wore chin-whiskers, and am both henpecked and chickenpecked at home, yet, with that experience which only age can bring, I confess that I do not now see my way clear to

deny my wife, children, and grandchildren their strong, earnest appeal to print it all, and do it now.

To the studious reader the repetitions in these recollections must be apparent, the work crude and wholly unlike that of a trained book-writer; but what am I to do but obey? As the prince of poets said near the closing of Childe Harold's Pilgrimage:

what is writ, is writ—
Would it were worthier! but I am not now
That which I have been—and my visions flit
Less palpably before me— and the glow
Which in my spirit dwelt is fluttering, faint and low.

1909. H. C. McD.

INTRODUCTION.

EARLY YEARS—ARMY—TRAVELS—FRIENDS.

Born December 9, 1844 on Dunkard Mill Run, in Marion County, (now West) Virginia, and there reared on my father's farm, the usual farm work and school life of the country youth were mine up to the beginning of the Civil War in 1861, which ended for me both farm and school days. The same little log school-house at Bethel, just across the hill from home, served as my kindergarten, common school, college, and university; that was my little world, and in life's race I am still necessarily handicapped by that lack of scholarship characterized as "the poverty of language." But early in '61 the Confederate forces who had held possession of our part of the country, were driven Southward, and in July of that year I enlisted in the Union Army, Company A, 6th Virginia Volunteer Infantry, and, among many other assignments for a private soldier, was made chief clerk of my brigade, where I served my last year in the Army, 1863-4. Upon being mustered out at Wheeling, West Virginia, by reason of the expiration of my term of enlistment on August 18, 1864, I was at once made chief personal transportation clerk in the United States Quartermaster's Department; first under Captain Henry Harrison Boggess, at Gallipolis, Ohio, and later under Captain Lewis Cass Forsyth, at Indianapolis, Indiana. In the meanwhile, however, Gen. Montgomery C. Meigs, then Quartermaster-General of the United States Army, made me his special agent at Cincinnati, Ohio, and I served there in that

capacity during the summer and fall of 1865. I quit the service of the United States at Indianapolis in March, 1866, and spent the remainder of that spring and the summer of that year in travel, and in visiting my mother's people at and around Alexandria, Virginia, at Washington, D. C., and in other cities of the East.

My father had removed, in March, 1866, from West Virginia to Bancroft, in Daviess County, Missouri, and I arrived at his new home on October 25, 1866. My intention in coming west was to visit my family for ten days or two weeks; but I have been a citizen and lawyer of Missouri nearly forty-three years now—first at Gallatin, and since 1885 at Kansas City.

While in the Army, and more especially when I was the chief clerk of our brigade, at both Clarksburg and New Creek (now Keyser) in West Virginia, as well as while in the Quartermaster's Department, at Washington and elsewhere, I had exceptional advantages in becoming personally well acquainted and walking and talking with many of America's foremost men and women

Since the Civil War, too, while holding public office occasionally, I have traveled and studied and worked more than most persons, and come in contact and grown somewhat familiar with men and women and things not only throughout our own country, but also in Canada and Old Mexico. For I have often traveled from ocean to ocean and from Lakes to Gulf, and upon the ground have studied physical and social conditions, and spent from days to months in nearly all our States and Territories. I attended the World's Fairs at Philadelphia (1876), Chicago (1893), and St. Louis (1904), as well as National Encampments of the Grand Army of the Republic at Minneapolis (1884), San Francisco (1886), St. Louis (1887), Columbus (1888), Washington (1892), Cincinnati

(1898), Washington (1902), and Denver (1905); and have also attended, as an onlooker, most of the National Conventions of both political parties, beginning with the Democratic National Convention at St. Louis in 1876. Then, too, I have professionally very often been before the United States Supreme Court and in the Departments at Washington; and have known all our Presidents personally since 1866, and the Cabinet officers of most all of them as well.

So it came about that as an American farmer-boy, clerk, soldier, lawyer, official, and traveler, and withal something of a Bohemian, I have come in contact with and personally known all sorts of people, from the highest to the lowest. But as life's game is closing, I look back now with no little pleasure and some pride upon these incidents: (1) I was born and reared on a farm; (2) served as a soldier in the Union Army; and (3) that my professional brethren unanimously chose me as President of the Missouri Bar Association.

Originally the names of many of the closest and best of my friends were classified under proper heads, and then alphabetically arranged, with the intention of writing a few words of my own as to each individual. That list is creditable alike to the retentive memory and long life of a good mixer among his fellows; yet the fact now looms up mountain high that many of the great and good friends named must be here passed by in silence, and only the highest peaks of life's highway noted, for my list is too long and life too short to give a line to each, however pleasant to me. But apart from this consideration, outside of my immediate family and friends, only a few would find interest in the mere names and personal incidents anyway. Hence I must now content myself with short, personal sketches of the few.

To all who know them, those whom I here name will

present themselves as either good or great—to me they were both. The men of my own profession heretofore noted by Clark are herein referred to first. Then will come my own sketches, under proper head, of the lawyers I knew best and esteemed most in West Virginia, Missouri, and a few other States. Then I shall say a word of the Presidents I have known since 1866; and then of a mere handful of the statesmen, soldiers, journalists, poets, and some of the other men and women worth while, among the many I have met and known.

1909.

H. C. McD.

RECOLLECTIONS.

SHORT PERSONAL SKETCHES.

I.

LAWYERS PICTURED BY CLARK.

In the private library at my home, in one large frame, hang the photogravure portraits of 144 of the eminent English-speaking lawyers of the world, while up in my den there, in two volumes gotten out in 1895 by Gilbert J. Clark, Esq., of the Kansas City bar, may be found in print a brief sketch of the life of each of these men. Out of the entire 144 lawyers there pictured and sketched, 115 were Americans, and of these I knew personally 68. In the two volumes named, Mr. Clark there said in print much of that which might have been written concerning each man named, and for that reason alone I do not here repeat his sketches, nor do more than merely cite these volumes and ask the curious reader to consult the books themselves. But out of all the 144, from my reading, study, and observation, I am of opinion that the three who will go down in history as our greatest and best American lawyers were Chief Justice John Marshall, of Virginia, Justice Samuel F. Miller, of Iowa, and Lemuel Shaw, of Massachusetts. Our very masters of logic were in turn John C. Calhoun and Roscoe Conkling, and our great legal and public orator was Henry Clay, yet the master of them all as an eloquent and impassioned talker was Sargent Smith Prentiss, of Mississippi. Indeed, so firm is this conviction, that in my opinion Prentiss was the

one great natural orator which this country has produced since the early days of Patrick Henry, of Virginia. My annotations, made in the past few months in these two volumes, go to make up my personal estimate of my lawyer friends there sketched.

In addition to the lawyers therein named, among the many other wise and successful practitioners of my chosen profession whom I have met and known in a close, personal way, I shall here say a few words of those whom I consider as being above their fellows, and then little sketches of others.

II.

LAWYERS—TWO OBSERVATIONS.

Of some of the lawyers alphabetically pictured and sketched by Brother Clark, these two legal observations should here be made and considered: John C. Calhoun, Henry Clay, Daniel Webster, and Thomas Hart Benton all passed away before my day. All were lawyers, yet Mr. Clark omits the last. Americans revere and honor the memory of each one of this Big Four of the United States Senate, and agree that all were great. But I here record the prediction that in the long years that yet shall be the latter will go down in history as the greatest of them all. Calhoun, Clay, and Webster were careless of their future fame, but that was not true of Benton. Either in his "Thirty Years' View," in two volumes, or in his "Abridgment of the Debates in Congress," in sixteen volumes, Benton religiously preserved, in substance and effect, every great speech he ever made, while those of the others appear only in fragmentary form. Benton forecast the years and knew better than any other man of his day the value and durability of printers' ink; his compeers did not.

Salmon P. Chase, Morrison R. Waite, and Melville W.

Fuller have been the several Chief Justices of the United States Supreme Court since 1866, and I have known them, as well as all other members of that high court, as I have both lost and won cases in that tribunal. So much has been written and spoken concerning them all, that it were folly to here mention each jurist specially, as these little memories are already too long. But attention might here be directed to this: The lawyer who thoroughly knows the facts and the law of his case has nothing to fear in that court and to him it's the easiest American court to talk to; but woe to him who is not familiar with his case! They stop one and ask questions one never hears elsewhere, and what they most want is a plain, concise, shorthand statement of facts and principles; for its members know and will state and apply the law which rules its proper decision.

III.

LAWYERS—WEST VIRGINIA.

FAIRMONT: ALPHEUS F. HAYMOND was the son Colonel Thomas S. Haymond, who represented that district in the Congress of the United States prior to the Civil War, and was born, reared, lived, and died at Fairmont in Marion County, (now West) Virginia. He became and for many years was one of the most learned lawyers as well as one of the best public speakers of his time. As a Union man, he was a member of the Virginia Convention of 1861, and both spoke and voted against the passage of the State Ordinance of Secession at Richmond. But when the first Federal troops marched into his native town in May, 1861, Haymond at once went Southward, and there served in the Confederate Army as Chief Quartermaster, first to Gen. "Stonewall" Jackson (who was

born and reared at Clarksburg in the adjoining county of Harrison), and after his death, to Gen. Jubal Early. After that war, he was Chief Justice of the Supreme Court of Appeals of West Virginia for ten years, and then resumed the law practice at his home, where he died at the age of seventy. Early in life he married my cousin, Miss Maria Boggess. They reared a large family of rarely intellectual children. He was a most enthusiastic and patient fisherman; and on the banks of the beautiful Monongahela River, I've seen him watch his cork, without a bite or a wink, for half a day at a time. He was busy in absorbed thought upon some legal proposition, and to him it mattered little whether he caught the fish or not.

A. BROOKS FLEMING was first made the Prosecuting Attorney of our county (Marion) in 1863; married Carrie Watson in 1865; was made Judge of the Circuit Court, and later the Governor of his State. Is an able lawyer, a rich man; fond of literature, history, and Democratic politics.

JOHN W. MASON served in my own regiment (6th W. Va.) in the early part of the war, and then as a sergeant in Maulsby's Battery. He was U. S. Commissioner of Internal Revenue during President Benjamin Harrison's term of office, and for four years has been, as he still is, the Circuit Judge of our native country. No better lawyer nor braver soldier is found.

CLARKSBURG: CALEB BOGCESS was an able, painstaking lawyer, who had an enormous private practice and finally became the general counsel of the Baltimore and Ohio Railroad Company.

NATHAN GOFF, JR., a rich, handsome, and learned lawyer, was, when first I met him, a private and then adjutant of the 3d Virginia (Union) Infantry. Then was promoted through the various grades up to brigadier-general when the Civil

War ended. Later on he was made U. S. District Attorney, member of the lower house of the Congress, Secretary of the Navy in the Cabinet of President Hayes, and is now a Judge of the U. S. Circuit Court of Appeals. From boyhood he has been a magnetic, powerful, and persuasive public speaker. Was born to wealth and position; married Laura Despard when young, reared a family, and through it all is the only man whom I have ever known that the money of earth has left unspotted and unspoiled. I spent a summer afternoon with him at his Clarksburg home a few years ago, and found him as in youth, in a full suit of white from his shoes to his hat.

WILLIAM A. HARRISON, a grave-faced, thoughtful Judge of the State Supreme Court when I knew him. He had an old bachelor brother or other kinsman, whose given name I do not now recall, living in the same town. One night this old philosopher and thinker said to me, 'way back when I was a boy: "You now think you 'll never marry. Now that would not be so bad if you die under sixty, but awful after that age. Look at my condition: Here I am, old and rich, with houses, slaves, and money; but there is not a single human being in all the world, white or black, that would raise a hand or do anything for me, were it not for the hope that, when I am done with it, they will inherit or in some way get my wealth. I tell you, my boy, it would be better for you to reconsider and marry some good girl while yet young."

MORGANTOWN: JOHN MARSHALL HAGANS called on Secretary of the Navy Goff with me at Washington when the latter was in the Hayes Cabinet, and later we spent the day together at Goff's home in Clarksburg. They were close friends. Hagans married the daughter of U. S. Senator Waitman T. Willey, and was afterward a member of Congress, and then a most careful Judge of the Circuit Court. The last time we

met was in company with Captain Amos N. Prichard, at Watson's Hotel in Fairmont, in 1900. Hagans then looked old and gray, for he was in the last stages of Bright's disease, but still on the bench. I recall how profoundly he regretted that, on account of his health, he could not join Prichard and me in a good old Bourbon whisky toddy.

PARKERSBURG: JOHN J. JACKSON was appointed by President Lincoln in April, 1861, as U. S. District Judge of his State, and on the bench earned for himself the title of "the Iron Jurist." He held his office for over forty years and died only recently. But he was great always as lawyer, man, and judge.

LAWYERS—MISSOURI.

GALLATIN: JAMES MCFERRAN, a native of Maryland, came to Missouri in 1848 and filled many offices. Among others, was Judge of the Circuit Court, a member of the State Convention of 1861-3, and colonel of the 1st M. S. M. Cavalry. He was a most careful, methodical, and painstaking lawyer, and could get more out of the statutes of the State than any one else I ever knew. He organized and incorporated the Daviess County Savings Association at Gallatin, but in 1867 removed his family from that town to Chillicothe, Missouri, where he opened another bank. In 1873 he left this State, and from that time to his death, in 1891, this multi-millionaire owned a bank at Colorado Springs, Colorado. He continued to practice law at Gallatin as long as he remained in this State, was a member of the committee that examined me for a license to practice law (as were also Henry M. Vories and Joel F. Asper), and soon after my admission became my first law partner, under the firm name of McFerran & McDougal.

Upon procuring my license to practice law on November 6, 1868, among a lot of other rules, I then solemnly resolved that I would never give legal advice without charging a fee. That

very afternoon a farmer called and asked my advice on some road law question. How I happened to know that law and answer him correctly will always remain a mystery, but the legal advice was given. He inquired the amount of my fee. Recollecting my rule, burning up with fright and excitement, which I tried not to show, I promptly answered, "Three dollars and a half." He paid it and went away as happy as I was. But how or why I stumbled on that figure for my first fee, I don't know today.

Another rule of that day was that I would never spend five minutes on the testimony in any case in which I did not have a substantial fee. In that way only could I devote all my time to the study of problems and cases that paid cash. This rule was a professional necessity then, for I was young and poor; but now it has grown into a life habit and is still practiced.

At the request of the Gallatin newspaper men, I wrote up a tribute to Colonel McFerran's memory after his death, which was widely copied by other papers. He was able, just, and even generous, and but few seemed to know all this. In looking backward now, my recollection is that the only really mean political trick I ever turned was at McFerran's expense, although it proved a blessing in disguise. He was always a pronounced Democrat and I an enthusiastic young Republican. As a member of the Missouri Convention of 1861-3 he had drawn the report for his committee on the test oath question, and when that report came up for hearing, made a bitter speech against "ministers of the gospel" who were inclined Southward, in June, 1862. I had read, studied, and preserved the printed proceedings of the debates in that convention, and still have them all in my library. In 1872 McFerran was a candidate for the Congressional nomination in his party, and

I believed that, if nominated, he would be elected over our man, for his regiment was made up from that district. So I carefully marked the objectionable part of his speech, carried it to and laid it before the editor of the Democratic newspaper in our town, and left it there without a word. He was not nominated.

SAMUEL ARBUCKLE RICHARDSON was a native of Kentucky, reared in Ray County, Missouri, but for many years a resident of Gallatin, and died there in December, 1882. His unequalled physical and moral courage, coupled with his splendid common sense and knowledge of the law, made him one of the most formidable antagonists at the bar to be found anywhere. Men feared or loved him; but at home with his family he was as gentle as a child. He was the attorney of his circuit in the early days and for about ten years of his later life was a most exemplary Judge of the Circuit Court. He was my neighbor and friend, and when he knew the end could not be far away, he sent for me and urged me to write a sketch of his life and his death. In vain I attempted to beg off, on the grounds that I was not a writer; that he was a Christian and I a pagan; that he should, therefore, request his own pastor to prepare such a sketch. His answer to all my arguments was this: "No, you must write it; no other will do; for I know you will do my memory justice." Hence, after he was laid away, I did prepare, not only the proceedings of the bar, but also the sketch which he urged, and both were afterward printed in full in the Gallatin newspapers.

BOYD DUDLEY was born in Marion County, Virginia, nearly fifty years ago, but since 1866 has lived nearly all the time in Gallatin, where he has successfully practiced law since early manhood. As he is my nephew and I reared and educated him, after the death of his father in 1868, I do not say much

about him here. However, in all his adult life he possessed in a high and noted degree one attribute to which I have ever been a stranger—he knows how to and does save his money, and will no doubt end his career as not only a great and good lawyer, but a wealthy man. In 1881 he took a flier down at Socorro in New Mexico, where the Mexicans always referred to him as "*el cochito avogada*"—"the little lawyer"; nor do I forget the language of their local paper in announcing his arrival in that then boom town: "Hell 's broke loose; another Missouri lawyer struck the town last night."

JOHN ADAMS LEOPARD was born in Virginia and became a member of the Gallatin bar in the spring of 1852. He was my firm friend from the time I located there, up to the day of his death in 1905. At the annual meeting of the Missouri Bar Association, held in St. Joseph in 1906, I delivered a memorial address on the life, character, and achievements of this venerable lawyer, orator, dreamer, scholar, and patriot. It is reported in full in the printed proceedings of that meeting, at pages 188-195. In it I noted the law practice as I found it in the West, named many of the State leaders of the bar at the date of Leopard's admission, and to that tribute now feel that I can add nothing. (See Appendix.)

CANTON: DAVID WAGNER, a rapid and careful law writer and on the bench of the Missouri Supreme Court continuously from April, 1865, to 1877, and during all that time his short, crisp, lawyerlike opinions will be found reported in the volumes containing the decisions of that tribunal. I was last with him, in the same room at the hotel, at the State Republican Convention held at Sedalia in the spring of 1880, wherein we were delegates from our respective counties.

CARROLLTON: ROBERT D. RAY was by birth a Kentucky, but lived for many years in Carroll County, and when

first I came west at the close of the war, attended the courts of the Grand River country, and especially in Daviess and Livingston counties. His custom during the day was to sit or walk alone, which he denominated "generating the law," and spend the evening in some friend's law office and repeat poetry, his favorite in that day being Bret Harte's "Heathen Chinees." He was on the Supreme Court bench from 1881 to 1891, and was a most careful and conscientious lawyer and Judge.

JOHN B. HALE was colonel of a Missouri regiment in the war, a member of the Constitution Convention of 1875, and later of the U. S. Congress. Soon after his death, Ralph F. Lozier, Esq., who had been Hale's law student and was then a member of the Carrollton bar, delivered before the Missouri Bar Association at Kansas City a memorial address on the life and character of Hale, which is found in the printed proceedings of that Association for 1907.

CHILLICOTHE: ELBRIDGE J. BROADDUS was born in Kentucky, but lived and practiced and was on the trial court bench at Chillicothe for many years, and is now the presiding Judge of the Kansas City Court of Appeals. When his home was in Chillicothe and mine in Gallatin (only 26 miles apart), we saw much of each other. Together we then tried cases, were sometimes opposed to each other, and each tried cases before the other. Then we hunted and fished, smoked and drank together, and each was often a guest at the home and office of the other, and it is a pleasure to here record the fact that, in addition to being a most excellent lawyer, Broaddus was always and in all places, first of all, a gentleman.

While Broaddus was holding his court down at Kingston, about 1878, he appointed the visiting members of the bar to examine a young applicant for license to practice law, and I was on that committee. That night we examined the young man,

and found that he was as bright as a button on everything else, but knew absolutely nothing about law. We had to and did report the fact to the court the following morning, and necessarily refused to recommend a license. While we were all busy in court that morning, the young man stalked in, bright, chipper, confidently anxious and willing to wrestle with his first client. Addressing the Court with the utmost composure, he said in a loud voice: "If your Honor please, I have been duly examined touching my qualifications to practice the law, and I am now here to receive my license." Judge Broaddus gravely told him that the committee had reported adversely and that it was not in the Court's power to issue the license. Without batting an eye or showing the slightest embarrassment, the applicant carefully looked us all over and said to the Court: "Well, sir, judging from the personal appearance of the lawyers here assembled, I must be the first man who was ever refused a license to practice law at this bar."

FRANK SHEETZ went from his father's farm in Clay County, Missouri, to Chillicothe, and there entered the law office of Broaddus & Pollard about 1872. Even then he was a student, thinker, and worker, and all these he has ever since continued. The natural result is that for many years he has been one of the safest and best lawyers in the State. As man and lawyer, friend and citizen, he is still a blessing to his community; honors and trusts his legion of friends and curses his few enemies, just as he did when a boy.

KANSAS CITY: CHARLES O. TICHENOR must have proven himself a most exemplary officer in the Civil War, for, ever since I have known him, now many long years, I have regarded him as the most careful, methodical, hard-working lawyer I ever met. Always an earnest but genial man and lawyer, when he undertakes the prosecution or defense of any civil

case, he goes to the bottom of both law and fact. These attributes have made him the leader, the head and front, of the Kansas City and Western bar, while his powers of logical statement are unsurpassed. Plain, unassuming, direct, he daily exemplifies the known fact that the simple and the natural, in human life as in mechanics, always win.

JOHN F. PHILIPS has filled many high and important public positions, from that of colonel of the 7th Regiment M. S. M. Cavalry during the war, to the office of Judge of the U. S. Court, and always with credit to his friends and honor to himself. At the bar he was the very master of pleading, of practice and the rules of evidence, and on the bench forgets none of his splendid legal achievements. His reported opinions in both State and Federal Courts, as well as his public speeches and addresses, are models of classical learning and logic, unusual eloquence, rare pathos, and marvelous power. That the higher courts have sometimes held him in error detracts nothing from the correctness of his conclusions and only demonstrates the fallibility of human reasoning. The bench, bar, and people, while conceding his honesty of purpose, are prone to regard him as coldly cynical; yet, as his neighbor and friend, I know that he is both warm-hearted and even generous, as well as most just always. None other has lambasted me personally as he has; yet it is only his way, and he has never either perpetrated or permitted a wrong.

FRANK HAGERMAN is a native Missourian and for twenty years has been a member of the Kansas City bar, where his hard professional work and sterling business sense have brought him both fame and fortune; and now he is one of the leaders of the Western bar. During my term of office as City Counselor, for these reasons, I selected him from the sixteen special counsel for the people to accompany me eastward and assist

in what was known as the Kansas City Water Works case, involving \$3,179,000, in the summer of 1895. In that case, together we went to the cities of New York, Boston, Burlington, Vermont, and St. Paul, and argued before Mr. Justice David J. Brewer, of the U. S. Supreme Court, who had that case, every question that could come up, and finally won, to the perfect satisfaction of everyone in Kansas City. Our most formidable antagonists were William B. Hornblower and Wheeler Peckham, of New York; Moorefield Story, of Boston; and Louis C. Krauthoff, Charles O. Tichenor, and Gardiner Lathrop, of this bar. In our five special trips to the East our plans often went awry, and more than once Hagerman lay down utterly disheartened and insisted that all our work was in vain, the City must lose; that we were up against a stone wall, beaten, etc. To this not unreasonable complaint, as well as to bolster him up, I always answered, in substance, that I knew his conclusions were not sound; that our case might look discouraging, but that, with his "splendid ability" and my "nerve," we two made up the best legal team the people could have sent east, and that we would finally win.

During these New England journeys that summer we twice stopped at the old wooden hotel in the ancient city of Vergennes, Vermont. Its wide, clean beds, its splendid table, and big black Angora cat are among the unforgotten joys; but one of our drives from that town across the country seven miles to North Ferrisburg, where Brewer lived in summer, was the most enjoyable I ever made. The horses and carriages were good and the country road better. In driving over early one morning, the flowers bloomed, the birds sang, and the dew was on the grass, while nearby Lake Champlain and the Adirondacks were to our left and the Green Mountains of Vermont to our right. All these made up a scene to be enjoyed once and remembered through life.

Our last oral argument in that case before Justice Brewer was made at Burlington, Vermont, in September, 1895, on the supplemental bill of the opposition on behalf of the "Boston syndicate," for \$300,000 damages against the City. There was a world of vexation in that bill and little else. Brewer inclined to the belief that Hagerman and I were right, but directed counsel on both sides to submit him briefs in thirty days. As Hagerman was worn out and came on home, I worked day and night on our argument alone, from Burlington through Montpelier, the White Mountains, Portland, Boston, and on to New York. Here the work was completed and mailed to the printer. When the other side read that brief, they promptly dismissed their bill and the City heard no more of that claim. No wonder, for that argument filled the old Virginian's definition of "a powerful good job of skinnin'," and I am rather proud of it today. The effort, however, brought upon me the symptoms of vertigo, and, accompanied by our genial associate, Frank F. Rozzelle, of this city, we spent some weeks at Cobb's Island, off the coast of Virginia, and then visited at Norfolk and Richmond on our leisurely homeward march.

In browsing around Richmond, however, Rozzelle and I visited the old State House, and Library, St John's Church, John Marshall's old home, the war home of Jeff Davis, Libby Prison, Hollywood Cemetery, and all other points and places of interest to the stranger in and about that ancient and historic city of beauty and chivalry. But by far the most interesting trip of them all to me was the Sunday afternoon we drove out past the equestrian statue of Gen. Robert E. Lee on his war-horse "Traveler," as both looked on the field along in the early '60s, and then on out to the Lee-Camp Soldier's Home of the old Confederates, where Col. Chas. P. Bigger was the Commandant. To him I reported "present for duty," and in substance said: "Colonel, away back in the days of the early Col-

ony, my people came here and located on the James under the charter of 1609, and ever since then have been known as the Virginians of Virginia—F. F. V.s, if you please; but when the Civil War came on, an elder brother enlisted under your flag, while I went the other way; as a Union soldier, for four years I did my best to obey the always command, 'On to Richmond!' but you fellows then kept us out; so this is the first time I ever got into the city, and now I want to meet and know the old 'Johnnies' at this Home." The short, fat, good-natured Commandant literally took me in his arms, and said: "God bless you, sir; you are just the kind of a Yankee soldier we like to meet here." In his jolly, soldierly way, he then presented me to old boys who had marched and fought with Lee, Jackson, Jeb Stuart, Ashby, Mosby, Jenkins, *et al.*, and I do not recollect to have spent a more enjoyable afternoon than at the Lee Home.

GEORGE W. McCrARY was Judge of the U. S. Circuit Court when first I met him, and afterward a practicing lawyer here and President of the Missouri Bar Association. But with some pleasure I now recall the fact that when I was a law student back in 1868, at Gallatin, Judge Frank Ballinger, of Keokuk, Iowa, was visiting members of his family in that town, and he and I spent a summer afternoon there on the grass out under a spreading shade-tree. McCrary had just been nominated for Congress by the Republican Convention in his district up in Iowa, and the good old lawyer, in speaking of him, said: "Keep your eye on that young fellow, for he is one of your coming men." The venerable jurist then told me that one morning, years before that, a young farmer-appearing boy came into his law office at Keokuk and said he wanted to read and study law with him; that he questioned the young fellow closely as to his hopes, fears, ambitions, etc., and finally wound up his talk by asking the lad what he expected to accomplish. The rather startling answer struck and amused Ballinger, for

the boy said: "I intend to study law in the summer and teach school in the winter-time to support myself; then, after my admission to the bar, I shall first go to the Legislature, next to the State Senate, then to Congress, and before I die I shall be a United States senator or a Cabinet officer." Ballinger thought such confidence and modesty should be rewarded, and at once took the young man into his office. He then told me the announced program had so far been fully carried out, and that there could be no doubt about the future, as the boy would be elected to Congress and would go higher; but again said, "Watch him." I did. That boy's name was George W. McCrary. He was then elected to Congress, wrote a law-book on "Elections," became Secretary of War in the Cabinet of President Hayes, and thereafter held the proud position which I have named, as well as being the general counsel of one of our great railway corporations.

While McCrary was practicing law in Kansas City, I represented the plaintiff in an important land case in the Federal Court, but there was one slight defect in my client's title which gave me no little trouble. At first a very technical lawyer was employed on the other side and filed an elaborate answer, setting up twenty-seven specific objections to our title, but not the one that I feared. Then McCrary was employed; his keen legal mind grasped the vital point, and he filed a little, short amended answer, discarding all else, but predicating his defense solely upon the one point against me. Upon that he won the case, as he had the legal right to do. He was genial and gentle, and, above all, a great and good lawyer.

LIBERTY: SAMUEL HARDWICKE, an accomplished, scholarly gentleman, through a long life kept up all his classical studies; he was an able lawyer, and was born, reared, and died in Clay County.

In and for some years following 1869, we were on opposite sides of a series of Daviess County cases at Gallatin and I came to know him intimately. When he and the Pinkerton Detective Agency were endeavoring to exterminate the James boys, of this county, from 1870 on up, I was their middle-man and all their correspondence was through me. That both were zealous there can be no question; but the friends of the gang made matters so hot in old Clay for the Major that he was compelled to abandon his home and temporarily reside at St. Paul, in Minnesota. Upon the completion of a truce between them, he returned to Liberty, but pending that trouble gave me elaborate sketches of the James family history, their exploits, etc.

On December 7, 1869, two men robbed the bank at my home town of Gallatin, killed my friend Captain John W. Sheets, who was cashier, and then made good their escape, Citizens of the town fired upon them so hotly that the race-mare of one of the robbers got away from him and the two fled on the remaining horse. Near the town they overtook a farmer named Daniel Smoote, who was riding homeward, forced him to dismount, took his horse, and away they went. Later our citizens saw and had a running fight with the robbers down in Clay County, and recognized Smoote's horse, but made no capture. Two days later Smoote came to employ me to bring an attachment suit for the race-mare, saddle, and bridle, which were there in a livery barn. The robbers had committed a felony and the right to an action was clear. I was young, had been through the war, was just married, and, when Smoote gave me the facts, did not think of fearing to begin his suit against anybody. The fact came to me afterward that Smoote had been to all the older lawyers of the bar, and all had declined his case because of the defendants. Well, I brought his case in the old Common Pleas Court there, against

Frank James and Jesse James, and attached this property early in 1870. The defendants, by attorneys (not personally), appeared and filed their answer. To prove my case was to fix upon them the murder of my friend Sheets, and there I was! By agreement the case was continued until I saw my way clear to get to the jury and I announced ready for trial. Then the opposition withdrew the answer, judgment was rendered, and the sheriff sold the attached property.

But pending that case, I shall never forget just how Major Hardwicke and Colonel Tom McCarty, of his town, took me away around the corner of the old court-house at Gallatin, in the spring of 1870, and there imparted the secret and not over-consoling information, that because I had brought that suit and attached the favorite race-mare of Jesse James, that gentleman had sworn to kill me on sight. As Jesse knew me and I did not know him, there was nothing left for me but to take my medicine in absolute silence, and I did. Years afterward, in April, 1882, I was busy in my office at Gallatin; Major Samuel P. Cox (who was credited with killing Captain Bill Anderson, the guerrilla leader of the James-Younger crew in 1864) was there, reading the morning paper, when I received a telegraphic message from my then partner, Marcus A. Low, saying that Jesse James had been killed at St. Joseph, Missouri, on that day. In silence I read the wire and then passed it to Major Cox. After he had finished it, I said, "Major, you don't know what a load that message takes from my mind." With the fire of war blazing again in his eyes, the good Major astonished me by answering, "By Gad! sir, I do know, and I am perhaps the only living man that has known all about this matter for years." He then told me that back in Kentucky he and the father of Clel Miller were boys together; that in the battle in which Bill Anderson lost his life down in Ray County, Missouri, in 1864, he had recognized Clel as the son of his old

friend; that the boy was in Anderson's command and was severely wounded, and that, being in command of the Union forces, the Major had driven away one of his men who was in the act of finishing the boy; that early in 1871, Jesse James, with Clel Miller and Dick Liddell, recognized members of the James gang, came to Gallatin, and that Jesse there announced the purpose of the trip to be to kill Major Cox and myself, him for killing Anderson and me for attaching Jesse's mare; that thereupon Clel said to him, "Major Cox is my father's old friend, he saved my life once, and as long as I live no man shall harm a hair of his head; but I don't know or care a damn about the other fellow"; that as my wife and I were taking an evening walk Jesse and his men lay concealed behind a hedge fence, and that her presence alone prevented Jesse from making good his threat in 1871; and that Clel Miller had later met the Major and told him the complete story. Clel was afterward killed in the bank robbery at Northfield, Minnesota.

In August and September, 1883, the trial of Frank James for the murder of Conductor Westfall near Winston, in July, 1881, was held at Gallatin. The State was ably represented in court by William D. Hamilton, John H. Shanklin, William H. Wallace, and Joshua F. Hicklin, with Marcus A. Low and myself as its special counsel in the background. We two were Republicans and the others all Democrats. The defendant was equally well represented by William M. Rush, Jr., John F. Philips, Charles P. Johnson, John M. Glover, Christopher T. Garner, James H. Slover, and Joshua W. Alexander. Major Hardwicke, Senator Ingalls, and many other distinguished lawyers and laymen flocked to the town from all over the West; the suppressed excitement was intense, the evidence such as would have convicted any other man; and, while the arguments of counsel to the jury were superb, I have always believed

the closing of Mr. Wallace the strongest I ever heard in court. It was a royal combat between powerful leaders of the bar. Frank James was acquitted. In my office that evening, the trial Judge, Charles H. S. Goodman, of Albany, said to me: "Well, it's all over, and I suppose I am the only man living that has no right to swear about that acquittal." The State confidently expected at least a hung jury, but the only juror we all believed dead against us throughout the trial proved to be the only man who at first had the nerve to vote for a conviction. Since then, I have been certain that no lawyer knows anything about a petit jury.

Among the "cloud of witnesses" at that trial was Dick Liddell, who there fully corroborated every statement of fact that Clel Miller had made to Major Cox years before. He also said that in leaving Kearney, Missouri, on his last visit to his old home there and just before his taking off at St. Joseph in 1882, Jesse James had made another attack upon me. This was new and explained another life chapter; for the fact was recalled that upon our return from Kansas City to Gallatin, the Rock Island train upon which my wife and I were passengers on that evening was fired into just as it pulled out of the town of Kearney. The incident was this: I was smoking in the forward car, while my wife was back in the chair-car. Old "Hank" Rice was the conductor in charge. The train stopped at Kearney station, and just as it started up eastward again, at the St. Joseph public road crossing, someone fired a pistol shot through the smoker window at my right and scattered its glass over my face. Seeing the commotion in the smoker, Mrs. McDougal came into my car and sought the cause. I assured her that some careless boy had only thrown a stick into the car; that no harm was done, etc. To her solicitous questions I answered that the James boys knew nothing about nor had

aught against me, and finally had "Hank" take her back into the chair-car and finished my cigar. While I always suspected the truth of the matter, yet I never knew who fired that shot until Dick told me at Frank's trial that Jesse James was the man. Liddell then further told me that on one occasion, along in the '70s, Jesse James and he had ridden into Chillicothe, Missouri, for the express purpose of robbing its principal bank; that he and Jesse went into this bank under the pretext of changing a large bill, but really to spy out just how they might best turn the trick, when, upon a door leading from the bank into a law office, Jesse espied the words, "Frank Sheetz, Lawyer"; that in speedily going from there over to the old Brown-ing House, Jesse had said that he and Sheetz were reared on adjoining farms in Clay County; that he would be recognized and reported if Sheetz saw him, and that they must get out of the town at once for that reason. It happened that I was then in that town attending court, was at the moment at work in that law office, and that Jesse and I dined at the hotel on that day directly across the table from each other! So nothing came of that expedition, and "Mr. Howard" (Jesse's then assumed name) and his companion left town just after dinner.

Just prior to his death in 1895, I went from Kansas City over to Liberty and there spent two days with my old friend Major Hardwicke, and naturally we again talked over the past and the breaking up and dispersion of the James boys gang.

Everyone knows that a person may be beastly intemperate in eating, drinking, sleeping, working, etc.; but Americans habitually employ that word as one which relates alone to drink. In that sense, out of the many temperance movements of earth, the only one of which I ever heard that had practical brains behind it was that of Liberty many years ago, as told me by the Major: A bare dozen of Clay County speakers knew that

law-makers could never legislate virtue or temperance or morality into a people, and that this was simply a matter of education. So they signed a short compact, under which each member agreed to go to any point in that county, whenever called upon to do so by their executive committee, and deliver an address on temperance; and the sole object of the talk was to be, and was, to convince the people that it did not pay to drink intoxicants. Meanwhile the members of the society found no fault with the drinker, signed petitions for and encouraged saloon-keepers, but made their speeches just the same. The result was, that in less than one year after starting the movement the last surviving saloon in that county closed its doors for want of patronage! There was no fight on or quarrel with anyone, but the people were simply educated into the belief, in that time, that it didn't pay to drink, and quit.

The same man was also authority for the statement that, here on the border where the war feeling always ran high, during all the civil conflict, the literary and musical societies and the Masonic bodies of the city of Liberty never once missed holding a single meeting on account of the war. Fellowship was higher than partisanship.

PLATTE CITY: ELIJAH HISE NORTON, who now spends his time quietly on his broad acres near the town, has been, as he still is, a most remarkable man to me. A native of Kentucky, soon after completing his education he came to the then far West, where he has been respectively the Judge of the Circuit Court, a member of Congress and of the Constitutional Convention of 1875, and for a dozen years afterward of the Missouri Supreme Court. At the age of eighty-five he walks around his farm and into town every week-day, makes frequent visits to adjacent cities, preserves all his old-time interest and enthusiasm in public affairs, and works and acts like a youth.

JOHN E. PITT was known to the older members of the bar as "Bully Pitt of Platte," and just why I never knew. He was of the old school as both man and lawyer, and I never saw him in court without the swallowtailed blue coat with brass buttons, high collar, and stock of decades ago. He filled many public offices, was a soldier in the Mexican War, and on the Confederate side in the late war.

His best advertised speech (and he liked nothing quite so well as to make one) was delivered in the General Assembly of Missouri along in the early '50s. This was his "bobtailed bull in fly-time" effort, and when I was a boy it was reproduced in full in England as a sample of American oratory!

Then at the opening of the railroad bridge which spans the Missouri River at Atchison, Kansas, about 1874, Colonel Pitt went across the river and there made another speech in response to the sentiment "The Platte Purchase," in which he said: "Why, Mr. President, I have so long lived in the Platte Purchase and am so familiar with all its territory that you might blindfold me, put me in a box-car, start me eastward over this magnificent bridge, and throw me off that car at any point between the Missouri River and the Iowa line, and I would light within ten feet of where I had either shot a deer or taken a drink."

Just before his term ended as Prosecuting Attorney of Platte County, along about 1878, Colonel Pitt announced that he would spend his few remaining years in Colorado. True, he was largely "a b' God and b' guess" lawyer, as he said; his indictments were generally quashed and no convictions stood to his credit, but everybody was fond of the Colonel, and he could make a speech. As I was somewhat handy with the pen, the visiting members of the Platte Court selected me to prepare our farewell to the good Colonel. His picture as an eminent law-

yer and gentleman was drawn with a free hand, and signed by his Honor and every member of the bar, including visitors: with streaming eyes the Colonel read all this at the opening of court the next morning, and made the most effective speech heard for many a day in that court. In closing, he made a beautiful prayer for the writer and each of the signers of our farewell address, and proclaimed the fact that with such a record he could not think of deserting "old Platte County." He had that letter reproduced in lithographic form, again opened up his law office, and at last, from his beloved "Platte Purchase," calmly hied him away to his home in—Heaven, I trust. Over florid and fervid in his time even, the Colonel was still eloquent and powerful in public speech; his voice was like the roar of many waters, and he was one of the last survivors of a now vanished generation.

PLATTSBURG: JAMES H. BIRCH, SR., was a Virginian by birth, a newspaper man and politician in earlier life, a member of the Supreme Court of Missouri for many years, but everywhere an accomplished, scholarly, courteous gentleman, and a public speaker and orator of rarest ability. In 1874 my law partner was a newspaper man and wrote many able editorials in his paper in favor of sound money, or the gold standard, in all of which Judge Birch heartily concurred. He was then an old man, and, mistaking me for my partner, M. A. Low, he called me aside one day, while attending circuit court in his town, and highly complimented my firm and courageous course in my newspaper on the money question. His error was apparent; but, as I was in hearty sympathy with him as well as my newspaper partner on that question, I did not undeceive him. He was a gentleman of the old school; always wore a broadcloth coat with big brass buttons, and lived at his home on the hills, away from the city; for, true to the traditions of his early training in Virginia, Judge Birch died

in the belief that no gentleman ever lived in any other way.

RICHMOND: ALEXANDER WILLIAM DONIPHAN in later life was a banker in Ray County, but when I knew him, he was still mentally and physically a giant. The story of his military exploits in the Mexican War has been so well told in "Doniphan's Expedition," originally written by General Hughes and later recast by Mr. Connelly, that no useful purpose could be subserved by here repeating it. Early-day Missouri lawyers have told me that when in full practice at the bar, General Doniphan never had more than a single point in any case and never made an argument to court or jury longer than twenty minutes. But with a powerful appeal, of which he was absolute master at the bar, in closing he always threw a flood of light upon the pivotal point of his case that rarely failed to win. He was of Kentucky birth and breeding; but for many years was the Colossus and leader of the Western bar and people.

AUSTIN A. KING was one of the earlier Judges of the Circuit Court and for four years the Governor of Missouri. The last time I met him was when he made an argument in the U. S. Circuit Court at St. Louis in the early spring of 1870. He died soon afterward, from the effects of that speech, and now rests in the old cemetery of his town in Ray County; but in his day he was a man and lawyer of great power and influence in the State.

GEORGE W. DUNN was also a Kentuckian by birth and in his earlier years in the West was a circuit attorney, but for many years was a Judge of the Circuit Court of the Ray, Clay, Platte, and Clinton circuit. He did not keep abreast with the law literature of his day, but his knowledge of equity procedure, pleading, and practice was more extensive than that of any other jurist I have known. The longest legal argument I ever

made occupied a full day and a half in his court in Clinton County, in a then celebrated equity case, in 1884; but we won before him, as well as in the Supreme Court.

Judge Dunn latterly labored under the erroneous impressions that he was a great ladies' man, could play the fiddle (there were no violins in his day), and write poetry. In my library out home now reposes a volume of his verses, with an elaborate presentation to me in the proper handwriting of the author. The cost of that book was \$3.00 to me; but I was then trying a case before him and he was well stricken in years. His "Temple of Justice," however, is in fact not only creditable, but a strong poem for anyone. Knowing that its reader would construe any applause following the reading of this poem as a personal compliment to his elocution, while the Judge would take it all as a tribute to his own genius as a writer, I arranged, at one term of his court in Clinton County, to have these verses quoted in the argument of a distinguished lawyer to the jury, and for such applause. After referring to his Honor as "the noble old Roman who now occupies this bench" (and Dunn looked the part), the lawyer quoted "The Temple of Justice" with powerful effect. As per program, the bar and the audience at once broke out in greatest applause. Lawyer and jurist were alike pleased. But after the cheers subsided, the Judge, smiling like a cat that had just eaten the family canary, looked over the crowd, gently rapped on his bench, and mildly said, "Order, gentlemen; order!"

At the sessions of Judge Dunn's court in Platte County, he and I always occupied the hotel parlor with two beds, and many a night he kept me awake reciting his poetry and playing his fiddle. But I was there to try cases, and found long ago that few investments pay better than to keep the Court in a good humor. Hence I was always at "attention." But at

last the lights went out and the ancient jurist was laid away by members of his home bar, a pauper prince, yet to all who knew him a great man and good.

SPRINGFIELD: THOMAS A. SHERWOOD was born in the South, but spent his mature years in this State, and was on the Missouri Supreme Court bench for thirty years following his election to that high office in 1872. He has written some law-books of great value, is one of the ablest scholars at our bar, rather fond of politics and Bourbon whisky, and the head and front of our Supreme Court in my day.

ST. JOSEPH: STEPHEN S. BROWN, the leader of the St. Joseph bar, is a native of New York, served in the Union Army in the big war, and spent his maturer years in north-west Missouri, first locating at Maysville, and later at his present home. When he was practicing at Maysville and I at Gallatin, only 25 miles away, it was not unusual for him to drive over in the night-time (we then had no cross-country railroad), rout me out of bed, and talk law to me till daylight. After breakfast, we went together to my office and examined the books. One time, with his inimitable drawl (which I could not forget if I would), and after talking over some knotty legal proposition for hours, Brown solemnly said: "Mack, if I knew as much law as you do, I'd be the best lawyer in the West." That was probably true; for he is by nature a great lawyer and man, but sometimes does not know just what the courts have held.

Among the many good lawyer stories told me by Brown, the following is reproduced:

"I have forgotten the name of the lawyer involved, and only remember that he was the senior member of a firm of distinguished patent attorneys, that he wore a Prince Albert coat 'all buttoned down before,' and that his face was orna-

mented with a long, flowing beard. Judge Offcault was appearing for the complainant in an important patent case and our hairy friend represented the defendant, the case being tried before Judge McPherson in Ottumwa. After Judge Offcault's partner had opened the case, the lawyer whom I have described, with much noise and gesticulation, made an argument five hours and a half long, which completely tired out his listeners, including the Judge of the court. Judge McPherson very vividly described Judge Offcault's appearance when he rose to reply. He was eighty-odd years old, very heavy and feeble, and after slowly and painfully rising to a standing position, he said:

"If the Court please, I am reminded by the gentleman, and by his earnest and protracted argument, of an ancient legend of the Black Forest of Germany.

"The story runs that long before the time of King Gunther, when the great forest was the abode of gods and giants and fairies, there lived in its depths a hairy giant, who had fashioned from the beeches and firs of the mountains and the entrails of the gigantic animals of that period an immense fiddle, which, as it lay on its back, reached all the way from the Rhine to the Neckar. Its bow was still longer, and weighed thirty tons.

"When our giant was in a musical mood, he would attach sixteen yoke of oxen to the bow and start them to pull it across the strings. As it moved the great fiddle roared and shrieked, the mighty trees swayed and bent before the wind that came from its shaking strings, the gods cowered in terror, the great beasts hid themselves in their dens, and the little fairies flew and danced like thistledown in the storm. It took three weeks to complete the journey of the bow, and when it stopped, the echoes of the storm wailed and muttered among

the mountains for two weeks longer. Then the noise ceased, the wind died away, the gods roused themselves and proceeded with their usual harmless festivities, the beasts came out and gently grazed or dined on each other as was their wont, the little fairies fluttered to their sylvan retreats and resumed their dance, the great fiddle with its bow and the oxen disappeared, and the hairy giant sat down and congratulated himself on his music. If the Court please, I submit the cause for the complainant.' ”

Together Steve and I have been in many a hard-fought legal battle, in none of which did he ever fail me, and I here say of him, as great John Hay said of his friend Jim Bludsoe:

“He never flunked and he never lied,
I reckon he never knowed how.”

JAMES N. BURNES came from his native State of Indiana to Missouri while yet young, and for some years prior to his death resided at and represented the St. Joseph district in Congress. His legal arguments before court and jury were always brilliant, strong, and good, while his persuasive eloquence before the people and his strikingly handsome form and resonant voice gave a rare charm to his every utterance. His politics and policies during and for some years subsequent to the troublous times of the Civil War were not at all times commendable; but he amassed both wealth and fame as lawyer and business man, and when he died in 1889, the Western world stood still and honored his memory. He presided over the “Liberal” wing of the Republican Convention of Missouri in 1870, and, as no one else could, solemnly uttered the sentence, “Love is stronger than hate,” in beginning his opening speech. In that convention I was a “Regular” and supported McClurg, while Burnes was a “Liberal” and assisted in the nomination of B. Gratz Brown for Governor of our State. Since his

nominee carried Missouri by a majority of over 41,000, I have never bet a penny on any election. That result satisfied me that at least one American knew absolutely nothing about an election until after the votes were counted. However, our political differences made no sort of change in existing friendly relations as together we journeyed homeward. A train-wreck at East Leavenworth and the killing of three passengers offered only a temporary check to his unfailing good humor, and then, as always, he charmed me by his wit, wisdom, and eloquence. When we finally reached St. Joseph on September 3, 1870, we found newsboys running everywhere with *Herald* extras, not bigger than one's hand, announcing the historic fact that Napoleon III. had on that day surrendered at Sedan, and that ended the Franco-Prussian War. Twenty years ago, while in the performance of his duties at Washington, the brilliant, brave, and brainy Burnes suddenly died in the harness. Then an unusual tribute was paid to his memory in the Senate and House of the United States Congress in the many addresses delivered in both houses.

JEFF CHANDLER was a member of this bar when first we met; but, having a refractory stomach, has since practiced the law in St. Louis, New York, Washington, and California. He has long been a powerful speaker to courts and juries and deservedly ranks high as man and lawyer. Just out of college, he migrated from a New England State to St. Joseph early in the Civil War, and, on account of his ability as a writer, was for a time employed as a reporter on the *Herald* of that city. At a time when politics, war, and country all seemed trembling in the balances, Major Bittinger, then editor of that paper, was suddenly called away to look after some important public matter and left young Chandler in editorial charge. Fortunately, he reached the office early the following morning, before the

paper was printed, and found that, after wrestling with various problems all day, Jeff had written and printed only a little dinky school-boy editorial on "The Mind"! But he became a great lawyer, and I recall now that he was a guest at our house in Gallatin about 1871, and there prosecuted Mrs. Shaw for the murder of her late husband. In a most solemn, impressive and blood-curdling closing, he there said: "Under the evidence, three propositions have been equally well established: first, that Amaziah Shaw once lived; second, that Amaziah is now dead; and third, [pointing his quivering forefinger directly at the defendant] there sits his murderer!" The effect upon all was electrical. Just how or when I next got back to earth I don't recollect.

WILLARD P. HALL, SR., was born at Harper's Ferry in Virginia, there worked under his father in the Arsenal gunsmith shop, came to St. Joseph early, while a private soldier in Doniphan's Regiment in the Mexican War wrote that model bill of rights which today governs New Mexico as well as the basic laws of that Territory, and while yet in the performance of duty at Santa Fé was elected to the Congress of the United States. Was at Washington, with Abraham Lincoln and other distinguished Americans; but after four years there, he resumed the practice of the law. Was later the war Governor of Missouri, and fully satisfied all the people in every position he ever occupied. Modest and unassuming at the bar, he rarely talked law over twenty-five minutes, and never addressed the jury unless the exigencies of the case demanded it. At all times and places a student, thinker, and worker, his marvelous personal and professional success ended only with his life in 1882.

From Governor Hall I learned early in my lawyer life the vital importance of brevity and the single issue. Both with

and against him in many a case, I have often heard him say to opposing counsel: "I know that you can prove 'this, that, and the other proposition'; and you know, or can easily ascertain, that we can prove 'so and so.' Now, our vital disagreement is this [clearly stating it]; let us agree on all these other matters and direct all our proof and argument to this one pivotal proposition." This method of his was always accepted, the trial was both simplified and shortened, and no rights lost to litigant or lawyer.

At the creation of the Missouri Bar Association, here at Kansas City on December 29, 1880, by common consent we made Governor Hall its first President; he soon thereafter accepted and appointed committees, but did not preside at the annual meeting held in St. Louis in 1881, on account of his last illness.

Together he and I were guests of the old Willard Hotel at Washington in 1878, when the Governor told me one morning that Roscoe Conkling was to orally argue the Stewart case in the U. S. Supreme Court that day, and asked me to go up to the court-room with him; but he added that while he had read Conkling's brief in the case and was satisfied that he was wrong, yet he would make a good argument. So we went up and heard Conkling, and, as usual, he made a wonderful statement no less than a surprisingly able argument. After the case was over and as we walked down the Capitol steps, I said: "Governor, from my student days I have always looked upon you as our ablest and best Missouri lawyer, and in all these years have followed and concurred in your legal opinions; but my judgment now is that Conkling is right." With characteristic frankness and justice, the Governor replied: "By God! I think so myself now; but he is wrong on paper." Conkling won his case.

At that same term of court the Justices gratified my State pride most highly by telling me that, in the unanimous opinion of that bench, Willard P. Hall, of Missouri, was up with and among the first half-dozen lawyers who argued cases at that bar.

BEN LOAN represented the St. Joseph district in the Federal Congress when I first came to Missouri, and could have filled any office with honor and creditably; he had been a general in the Union Army, and withal was an able and useful lawyer and citizen. He was an earnest worker, wrote a most beautiful copperplate hand in his busiest moments; and in each of the many land cases I heard him try, always relied on the statute of limitations and a lawful fence!

HENRY M. VORIES was a member of the Missouri Supreme Court, elected in 1872, resigned four years later, and soon thereafter died. He was lacking in scholarship, but up to this good hour I have never known his equal in the trial of either a civil or criminal cause. Able, adroit, fearless, effective and successful as he was in the trial courts, his record on the Supreme bench cannot be as highly regarded.

When he was the candidate of his party for the honorable position of Supreme Judge, a young and scholarly lawyer of St. Joseph (one of the brass knobs on the temple of Justice) was criticising him for his lack of learning, and, among other things, said to Governor Hall and myself: "Why, he says 'whar' and 'thar' and 'hoss' in his arguments." That was too much for Hall, who had known Vories as a Kentucky gentleman, friend, neighbor, and lawyer; and to the young fellow the great jurist turned and said: "And have you noticed, too, young man, that when Henry Vories says these things, he is always answered in the same language by the court and jury?"

Insect powder would not have exterminated that young fellow more quickly.

ST. LOUIS: WELLS H. BLODGETT has for many years been the general counsel for the Wabash Railroad Company, and a more thorough lawyer, or more nearly perfect man, I have never known.

During the war he was a gallant officer in the Union Army, at its close was mustered out as the colonel of his regiment, then represented his people as a senator in the General Assembly of Missouri, but has long resided at the metropolis of his adopted State, and knows and tells about the personal and political history of his country with greatest accuracy, learning, and ability. He read and studied law in the office of his brother, Henry W. Blodgett, of Chicago, for many years the U. S. Judge for the Northern District of Illinois, and there often met, knew, and became the personal and political friend of the great Lincoln. In his private library at St. Louis Colonel Blodgett now has probably the best collection of books, pictures, and statuary of the Emancipator to be found in this country. No lawyer of my acquaintance so earnestly insists upon knowing the exact facts of any legal proposition, and he often says: "I must see and have the whole scheme in my head before forming my conclusion."

Colonel Blodgett has long been a student of all questions relating to the abolition of American slavery, and respecting this question, at his request, I examined our border State and Federal laws, and on November 22, 1906, wrote him, in substance, that the Congressional Enabling Act of December 31, 1862, required that West Virginia should, by its new Constitution, provide that "the children of slaves born within the limits of this State after July 4, 1863, shall be free"; and then, after fixing an age-limit when certain other slaves should be

free, provided that "no slave shall be permitted to come within the limits of this State for permanent residence."

President Lincoln's Emancipation Proclamation, by its affirmative recitals, had *no* effect upon those within the border slave States, and applied only to Negro slaves in those sections of our country that on January 1, 1863, were in "actual rebellion against the United States."

By its ordinance of July 1, 1863, the Missouri Convention provided for the emancipation of all our slaves on July 4, 1870; but eleven months prior to the adoption of the thirteenth amendment to the Federal Constitution, our Constitutional Convention declared by ordinance that all our Missouri slaves were free on the date of its passage—viz., January 11, 1865. I then closed that letter to the Colonel in these words:

"As Maryland, then a Roman Catholic proprietary Colony, was the first of our American Colonies (if not indeed the first law-making power of earth) to establish and guarantee to all persons religious freedom and toleration by law (A. D. 1649; 2 Kent 36); so, over two hundred years later, Maryland was the first of our Southern States to abolish the curse of human slavery. After prohibiting slavery prospectively, Section 24 of the 'Declaration of Rights' of the Constitution of Maryland closes with the words: 'and all persons held to service or labor as slaves are *hereby* declared free.' This Constitution, by its terms, went 'into effect on the first day of November, eighteen hundred and sixty-four.' Hence the truth of history demands that in these two respects the highest honor must be awarded to 'Maryland, my Maryland'."

CHARLES D. DRAKE was for long years one of the close lawyers of the West, wrote his great work on Attachments, never made even a ward speech in St. Louis without his manuscript thereof in his hand, became the foremost member of the Constitutional Convention of 1865, was later a member of the U. S. Senate from Missouri, and resigned to become Chief Justice of the U. S. Court of Claims at Washington, where he

died years ago. Personally a lovable man in private life, but a most bitter partisan in public. In it all, a great, earnest, hard-working student and lawyer.

GUSTAVUS A. FINKELNBERG was a clear-headed, kind-hearted German student, thinker, and worker who first attained prominence as the head of the Judiciary Committee in our State Legislature, in 1867, was later a member of the lower House of Congress, the candidate of his party for Governor of Missouri, and later in life the U. S. Judge for the St. Louis district. In his busy life he found time to write law-books, attend the sessions of the Missouri Bar Association, and as an honest, conscientious man resigned his office because his health was giving way and he could no longer do full justice to his fellows. His death occurred only last year.

HENRY HITCHCOCK was prominent in his day as both man and lawyer, and as President of the Missouri Bar Association in 1881. He was a bigger and better man than his brother, the late Ethan Allen Hitchcock, Secretary of the Interior under McKinley and Roosevelt; both were born in the South, but lived in St. Louis, and were lineal descendants of the great Ethan Allen, who, as the leader of the Green Mountain boys, is said in history to have demanded the unconditional surrender of Fort Ticonderoga "in the name of the Great Jehovah and the Continental Congress."

WARWICK HOUGH is a native of Virginia; he early moved to Missouri, married, and entered the Confederate Army as the Adjutant-General of this State, and fought for the South through the war. Later he was a member of the Kansas City bar, served for ten years on the Supreme Court bench of his adopted State, removed to St. Louis, and was for six years a Circuit Judge there. As student, scholar, writer, soldier, gen-

tleman, lawyer, jurist, he still stands as a very prince among those who know him.

JOHN W. NOBLE first attained national repute as an Iowa soldier in the War, and was mustered out with the rank of brigadier-general. Thereafter he became one of the foremost of the many able St. Louis lawyers, and acceptably filled the office as Secretary of the Interior under President Harrison. He is now in full practice at his home, and, though white of hair and whiskers, but few of the younger generation of today care to measure swords with him in a legal contest.

RODERICK E. ROMBAUER is another German student and worker of the St. Louis bar. After many other public positions, for a dozen years or more he was a member of the Court of Appeals of his city, and is justly ranked as one of the cleanest, strongest, and best law writers to be found anywhere.

TRENTON: JOHN HENDERSON SHANKLIN was born in Virginia, but migrated to Missouri in early manhood, served with honor as an enlisted man in Doniphan's Regiment during the war with Mexico, became a lawyer, recruited and commanded a Union regiment in the Civil War, was a member of the convention called by Governor Claiborne F. Jackson to take the State out of the Union in 1861, and of the Constitutional Convention of 1875, and passed away at his home in 1904, honored and beloved by all.

For the ten years ending with my removal to Kansas City in 1885, he was the head of the law firm of Shanklin, Low & McDougal, and I have learned but recently that during this time we had more causes before the Supreme Court of the State and won a higher percentage of cases than any other law firm in the State. We were the division attorneys of the Rock Island and Wabash Railway corporations, and in addition had a large private practice. In 1881 Colonel Shanklin

was made president of the Gallinas Mining and Smelting Company of New Mexico, and of the Missouri Bar Association the following year, in both of which offices I succeeded him some years later. At the solicitation of the State Bar Association, I delivered a memorial address in honor of this great and good man and lawyer at the annual meeting held in St. Louis. This is reported and printed in full in the proceedings of that meeting, in 1904, at pages 164-9, and to that address I must now refer for some of the facts relating to a long and useful life. But to it I now add a few incidents in the Colonel's lawyer life.

An old client of the Colonel once consulted him about some domestic difficulty, and as he went out of the office I overheard Shanklin say: "The only thing I know of for that sort of trouble is the shot-gun remedy." Soon after this, I strolled up to the Elmore House for luncheon and on the street met the Colonel's client, with blood in his eye, a shot-gun in his hands, searching the town for his man. Hastening back to the office, I informed my senior of the situation. He rushed out and spent the remainder of that day convincing his wrathful client that he did not intend his suggestion just that way, and that the law must take its course.

On another occasion the Colonel was suddenly called out of town and I was left alone to try, the next day, the land case of *Smith vs. Smith*—though that was not its style. I got our client in the office that night and was endeavoring to ascertain just how the principal witness on the other side stood for truth and veracity among his neighbors. Finally my man, who was slow of thought and speech, got the proposition through his hair. Then he took deliberate aim at the sawdust spit-box about fifteen feet away, nearly filled it with his tobacco juice, and slowly and deliberately answered:

"Wall, no; he is mighty shaky that a-way out in the forks of the River; any man that would look 'Johns' in the face and then say he is a honest man would deny the handwritin' of God."

In many years of practice, for various reasons, I always shunned all sorts of criminal cases, and personally have tried but two murder cases. These I went into because Colonel Shanklin asked it. One of these was for the killing of a deputy sheriff early in the '70s, and came to my county on change of venue. Mordecai Oliver and the Colonel were most excellent criminal practitioners and I was employed to assist them because the trial was to be in Daviess County. My seniors sent me over to the jail to get the exact facts of the killing. I got them. In the most cold-blooded manner our client there illustrated just how that murder was perpetrated, but I found out that the State could not prove whether the defendant or his brother had fired the fatal shot. As my seniors deemed the defendant not guilty, I refused to disclose the facts, and told them I would procure an acquittal if they would permit me to conduct the defence. This they reluctantly consented to do, for I was young, had no experience in criminal practice, and the case looked dangerous. The prosecution opened the trial to the jury with an elaborate statement, to all which I only replied: "The defendant simply pleads not guilty; hear the proof." Not one of the many witnesses for the prosecution testified to the vital point, and to each I only said, "Stand aside," At the close, I offered a demurrer to the evidence. The Court asked if I wished to argue it, and I said, "No." The suspense was awful, the life of a man was at stake; my associates trembled, but I never batted an eye nor opened my mouth. While his Honor was mentally going over the evidence, I wrote out a verdict. The Court at last gave my demurrer; as a juror, old Lewis Snider signed the verdict, and

the defendant went free. But he was guilty as hell, and I knew it. He at once left the State, and I have here in my desk today his note for my fee of \$500, not a penny of which was ever paid. Retributive justice? Maybe so. In entering my plea of guilty at this late day, my only extenuating circumstance is the zeal and enthusiasm of youth, and then our client had the constitutional right to his defense; but that was my last murder case.

As attorneys for the Rock Island, the Colonel and I were defending the Company in a trial for damages in a collision on the road between one of our east-bound trains and a countryman driving a buggy at a crossing. Our defense was that the statutory signals were duly given by the approaching engine, and that the driver failed to stop, or look, or listen, and we had witnesses to establish all this. Major George H. Hubbell had been in the buggy and swore that the plaintiff was driving along in the usual way; that, while driving down hill, they were struck by the engine at the crossing and the buggy reduced to kindling-wood, etc., but incidentally mentioned the fact that he (Hubbell) had heard the whistle sounded. As usual, I was examining the testimony while my senior took notes, offered suggestions, etc. When the Colonel heard the statement that the whistle had sounded, he urged me to inquire where the Major and the train were at that instant. I protested that the jury would draw the inference; but the fact is, I distrust cross-examination always, and feared the truth. As Shanklin kept on urging the question, I yielded and put it. To the Colonel's surprise, Major Hubbell answered: "Well, suh, as near as I could calculate, suh, when that whistle sounded, I was just about on a level with the top of your smokestack, suh, and death and destruction was a-starin' us in the face."

At the meeting of the Missouri Bar Association at

Sedalia in 1882, and when Colonel Shanklin was elected as its President, the State Association of School Teachers was assembled at the same town. This wide difference between the two professions was then in evidence at all their hotels: teachers in groups earnestly discussed the way to spell words, teach classes, etc.; while lawyers never mentioned "shop," but, with cigars lighted and feet elevated, talked only of good things to eat and drink.

Colonel Shanklin, Charles H. Mansur, Mordecai Oliver, and John E. Pitt were all in full practice at the North Missouri bar when I located there forty-three years ago; and with these lawyers in mind, aided by a somewhat vivid imagination, many years ago I responded to the toast of "Ye Lawyer of ye Olden Time" in this fashion:

"From history and tradition alike we learn that in the early days of the Republic courts and lawyers were held in higher esteem than they are today. One of the reasons for this was that in those days the plain common people of the country absorbed from lawyers and preachers the larger share of their meager education. To procure this they were compelled to and did attend churches and courts with a regularity, industry, and interest that would today appear most astonishing. In this way the pioneer lawyer and preacher became the two most powerful factors in moulding, guiding, and controlling public thought and action on the frontier firing-line of our civilization.

"When, at the close of the Civil War, I came west and located at Gallatin, there were still to be found in the active and profitable practice of our profession up in North Missouri quite a number of these old-time, honest, earnest, rugged, and able lawyers, who still 'rode the circuit' and were the foremost men of that country.

"So rapid has been the advance of our civilization, and so many changes have been wrought by the terrible hand of Time in the law practice, that I doubt if there could now be reproduced, anywhere in this broad land of ours, the court-room scenes that were familiar to every lawyer who then practiced on the circuit.

"I have in my mind's eye now four of these old-timers. Their hopes, ambitions, and methods were not unlike. Each knew that to win a case before the jury and the people he must make a powerful speech, and neither ever failed to do so. Each commenced his speech in a slow, conversational tone. Warming up, he first removed his coat, then his vest and collar went, winter and summer alike. He then unbuttoned his shirt-front, exposing his rugged, hairy, manly bosom, and thus stripped for the fight, he poured hot shot and shell into the camp of the enemy for hour after hour. The loftiest flights of sarcasm, invective, and illustration were his; now he cooed like the sucking dove, now roared like the lion; his sneering face was at times a breach of the peace, his manner an assault; yet to 'his Honor upon the bench' he was always respectfully courteous, and for his own greater glory never failed to refer to the opposing counsel as 'my most distinguished and learned friend on the other side.' The trial ended, court adjourned, the two opposing counsel, with the judge between them, all arm in arm, wended their way from the court-house to the tavern and there spent a good part of the night in playing cards (solely for amusement, never gambling) and drinking good old whisky from a jug that one of them insisted should be 'stopped only with a corn-cob.' The truth is that for some years after I came to the bar, I attended the courts with these dear old-timers up in North Missouri, and found no difficulty in falling into some of their ways. They were short on books, but long on principle; knew Blackstone and Chitty and Kent 'from kiver to kiver'; and while I have since known more accomplished and bookier lawyers, yet I have not known, nor shall I ever know, any who could more ably or more clearly argue a question of law from principle; nor yet those who could make more convincing arguments to the jury or court than the stalwart old-time lawyers of the Grand River country with whom, as student and young lawyer, it was my good fortune to associate for years after casting my tiny craft upon the boundless ocean of Jurisprudence."

STEPHEN PEERY was also from Virginia, but in early life came to this State; he became an able and brilliant lawyer at the bar of the Grand River Country, an eloquent public orator who always said things, filled many important public

offices ; and himself closed the scene out in Arizona about ten years ago. Wretched health and despondency laid the lion low, and caused the ending of one of the wisest, bravest, and best of men.

LAWYERS OF OTHER STATES.

ILLINOIS.

EMORY A. STORRS, of Chicago, was one of the strongest and best of our American lawyers. A magnificent dresser, a rather vain but accomplished gentleman, he was a shining light in public assemblages as well as in the courts in the days that are gone. Many of the methods of the man are now recalled, but of them all, three instances impressed me: At one time he was trying an important case at his home, in which a big merchant of that big, busy, bustling city was one of the witnesses against him. Noting the way Storrs confused, abashed, and crucified other witnesses by his merciless cross-examination, this merchant frequently repeated: "Just wait until I take the stand and watch me mop the earth with this great lawyer." His turn came at last, and, with the easy confidence of the witness who knows just what and how he is to say things to opposing counsel, he turned to Storrs at the close of his examination-in-chief and looked and waited. He and Storrs were great friends at the club, and had been for years.

After a long pause, Storrs blandly asked: "What is your name, please?" He answered. Storrs said: "Spell it, please," and made him spell it all out letter by letter. Then, as quietly, Storrs said: "That is all, sir; stand aside."

The plea which Storrs made in the Chicago Convention of 1880 for the renomination of General Grant was the masterpiece of logical eloquence of that great aggregation of stalwart Americans, and it was not his fault that Garfield won the prize.

Upon his return home, after a year's study of our men and their methods, I now recollect that a thoughtful British statesman of the time said that of all the great Americans he had here met, Emory A. Storrs and Benjamin Harrison stood at the head of the class of the first half-dozen.

THOMAS F. WITHROW, of the same bar, was the general counsel of the Rock Island Railway during many of the years I have been engaged in its law department; and no great lawyer enjoyed more than he the luxury of casting aside the cares of his high position and indulging in his earlier reminiscences.

Withrow was a native of my own country, but in youth went to Iowa, and for years practiced at Des Moines; was the reporter of their Supreme Court and the author of its earlier Digest. Whether on himself or another, a joke was always a joke with him, and his hearty laugh at his own expense is with me now, as he once told me the story of a country client of his partner who haunted their office for days. This man then urged Withrow to take the particular case; but that gentleman was always too busy to talk with the client. When at last he did get his ear, Withrow said: "I don't understand this; my partner has always looked after all your cases in court, and why don't you go to him now?" Slowly and deliberately the countryman answered: "Now, the God's truth is, Mr.

Withrow, you must take and try this case, because your partner is too good a man to handle it."

The last case we argued together was here in the U. S. Circuit Court, and, as usual for him, Mr. Withrow made a concise and clear argument. Judge Arnold Krekel was on the bench, and while a brusque and blunt German student, no man living or dead was kindlier. But in his closing Mr. Withrow laid down some proposition to which his Honor dissented, and in his usual curt way he said things. With quiet and silent dignity the speaker gathered up his books and papers. As he was about to leave the bar, Judge Krekel said: "Why don't you proceed with your argument, Mr. Withrow? The Court is listening." Then came from Withrow this parting shot, in tones of mingled sarcasm and contempt: "I decline to argue any case before any court that can neither comprehend a law point nor treat a member of the bar as a gentleman." As we passed from that court-house, with a twinkle in his eye and in a reassuring voice, Mr. Withrow said: "Don't be alarmed, Mack; we are right on both principle and authority; I said all I wanted to, anyway; Krekel will decide the case our way." And he did.

ED. S. WILSON, of Olney. Here is another lawyer who knew enough to quit the profession and amass a fortune. After successfully following the law for years in Illinois, and holding a State office, Ed retired years ago and has since lived like the lordly gentleman he is. A trifle thick of hearing, he now uses his ears as his apology for dropping the law, traveling through Europe and America, and having a royal good time everywhere; but the true reason is probably found in the fact that he simply grew weary of the game. Then, wealth begets leisure, study, reflection, and an appalling indifference

to the daily struggle at the bar. But through life he continues his study of law and literature, and thinks all the time.

A dozen years ago he and two of his brothers, Luke F. and Medford B. Wilson, were sued in different jurisdictions on identically the same stock subscriptions and notes to a bank, and each for a large sum. Among many other lawyers, I was defending. Upon careful investigation, Ed S. Wilson and I concluded that upon principle and right there could be no recovery. The precise point had not then been ruled on, and we had no end of trouble in our vain efforts to convince our co-counsel that our contention was and must be correct. Against our joint protest, after years of litigation, the two brothers at last compromised for comparatively trifling amounts; but Ed continued to fight his case. The U. S. Supreme Court passed upon our exact proposition not long ago, and in the final trial of his case Ed won out.

Among other sins of omission and commission, this stalwart gentleman is a sort of a Populist, a free-trader in politics and a free-thinker in religion. Just now he is engaged with a bishop of the Church in a newspaper discussion of the Bible question: Did the Hebrews of the Old Testament believe in the immortality of the soul? As each knows as much or as little as the other, whatever the profession and argument may be, no one really knows anything about the subject, and the outcome of the wrangle can have but one result—bad blood. Still, thinkers must do, think, and say things, or the millennium will be upon us unawares.

KANSAS.

MARCUS A. LOW, Topeka, was born in Maine, reared in Illinois, and, because of ill health, spent a part of our war period in California, where he and Bret Harte and Edwin R. Sill

wrote and thought and dreamed and then organized the Golden Gate Literary Society. Soon after the war he located in Missouri, where for years he owned and wrote editorials for the *Hamilton News*, and in 1874 formed a law partnership with the writer. Our firm was shortly increased; the partnership became Shanklin, Low & McDougal, with offices at Trenton and Gallatin, and thus continued until my removal to Kansas City in 1885. Within a year thereafter Mr. Low removed to Topeka, and has ever since there held the position of general attorney for the Rock Island Railway Company, with jurisdiction over all their lines of road south and west of Iowa.

Mr. Low enjoys the unique distinction of never seeking or filling a public office. He knows more law, and better where to find it and how to apply it, than any other lawyer I ever met, and, singularly enough, knows more of everything else than of law; but, absorbing and easily becoming master of all else, it was strange to me that he should, as he did, grow thin and pale and sick in his efforts to learn to play the violin. That was the only thing he ever failed in.

In the forty years I have known and been associated with him, he has admitted to me just once that he had erred on the law. He may err, but was never known to admit it except that one time.

He never gives advice unless asked for it, and seldom even then. He is known as "the silent man," and talks less on business and can say more on paper in fewer words than any one.

When the Rock Island Railway was being constructed through Kansas, a delegation of the big men of the short-grass country was sent to see Mr. Low about the location of the depot for their town. The nearer they got to Topeka the smaller they became, while Low got bigger all the time. Upon

arriving at Rock Island headquarters the now frightened delegation urged their spokesman to go up-stairs and confer with the Company, *alias* Low, and report. He agreed to do so, and was gone up to the office a long time. When at last he returned, this spokesman said: "Gentlemen, all I've got to say is, that Low will never quarrel with his wife; the damned fellow won't talk back." Urged by the committee to repeat all that he and Mr. Low said, this spokesman finally answered: "Well, I said so and so, and all that Low said was, 'Good morning' when I first went in and 'Good day, sir,' when I came away."

WILLIAM H. ROSSINGTON, Topeka. Last year this great lawyer and sweet singer passed to the beyond at his home. When first he went to the Kansas bar, now thirty years ago, and largely through his influence, the young lawyers of Topeka organized, and for many years maintained, a class for the study of the rules of procedure and practice in chancery cases. So apt did they become that Federal judges have assured me they were often compelled, in that practice, to interfere and protect the outside members of the bar against the skill and learning of Topeka lawyers, and that this was especially true as to Rossington and George C. Clemens. To many this class of learning is a sealed book, and if met face to face on the public highway, some of our profession would not recognize the difference between equity procedure and the plan of salvation.

Mr. Rossington not only knew and practiced the law, but had at his tongue's end, and was the rarest person of his day in the ready solution of, every problem relating to the origin, history, and application of the curious in law, history, and literature.

BENJAMIN F. STRINGFELLOW, Atchison, came from Vir-

ginia; he was one of the early attorneys-general of Missouri, but in Territorial days removed to and died in Kansas. In my early practice I often met him in the courts of the counties of Clay, Clinton, Platte, and Buchanan, and to me he seemed a marvel in the trial of a cause, while some of the clearest, strongest, and best arguments I ever heard in the Supreme Court fell from the lips of this great orator and lawyer.

He told me of his being called before the senators and representatives of the South, at Washington, and of his speech explaining to them just how Kansas might well be made a slave State, by sending thither their slaves in active charge and control of men who would work and see to it, too, that the negroes worked. The South sent its slaves in the '50s, as Stringfellow advised, but with and in charge of them a lot of young bloods who preferred to drink whisky toddy, run horse-races, and fight game-cocks. The world knows the result.

At the opening of the Atchison railroad bridge across the Missouri River, about 1874, many speeches were made by men who knew things. Among other things, General Stringfellow solemnly said: "I hear much talk about repudiating the payment of the bonds which this city issued to raise the money to construct that bridge. That's all wrong. Why, Mr. President, I am here to say that in thirty years I have not drawn a solvent breath, nor scarcely a sober one, yet I'd cheerfully murder the man who plead either fraud or limitation to a suit on any one of my notes of hand."

JOHN P. USHER, Lawrence. After a legal career of unusual usefulness in Indiana, and especially as Secretary of the Interior in the Cabinet of Abraham Lincoln, Judge Usher located at Lawrence as the general counsel of the Union Pacific Railway, and there, at his home, I spent a day with him, on some now forgotten law business, along about 1873. He then

impressed me, as he always did in the courts, as a lawyer and man of great power and ability. In going from the railway station to his house on that day, the bus-driver advised me to walk over the bridge across the Kansas River, as the water was then very high; but, thinking it safe, I said, "No, I'll ride over," and did. But just as I was freshening up a bit at the old Eldridge House, a servant rushed in and said the bridge had gone out. I was the last person to cross it. Later on Usher died at Lawrence; but when one recalls that the town was founded in 1854, to make Kansas a free State, its record of strife and bloodshed in the later '50s, as well as its scholarly people, the reason of this old fighter and patriot for locating there becomes apparent to all who knew the man.

KENTUCKY.

GEORGE W. CRADDOCK, Frankfort. While waiting in his city years ago to orally argue the Lamkin will case in the Court of Appeals, I became acquainted with their unusually strong bench and bar, and among them, Craddock. This old-timer was still a boy at the bar—in fact, at several bars. One night he was in my rooms at the Capital Hotel, among other guests, and the subject under discussion, along with toddies, was heraldry. Judge Montfort, of their Circuit Court, was there, and knew the meaning, history, and intention of every heraldic design of earth. Craddock knew much of it, while I was the silent novice. Early the following morning Craddock invited me to accompany him over to the Court of Appeals to hear him argue a land case, and I went. *En route* he remarked that maybe he had taken just one toddy too many in my rooms the night before, and to steady his shattered nerves we repaired to and stopped at a drink emporium on the way. He

ordered "a Sampson with the hair on," while I took the universal nip of that country—a toddy. Having no sort of idea of his tipple, I noticed that in the bottom of a tumbler Craddock first put in half an inch of white sugar, then filled his glass with old Bourbon and smilingly stirred it with a spoon until the admixture was complete; then, with unexampled satisfaction, he drained his glass. His tipple had the strength which the Book says Sampson had before Delilah severed his locks, and to Craddock the name was appropriate. We went into court. By the time his case was called, Craddock's nerve, brain, and the law were all his, and a clearer, better, stronger legal argument I never heard.

WILLIAM LINDSAY, Frankfort. Among other offices filled by this native of Virginia, ex-Confederate, and great lawyer, were those of Judge of their highest court and U. S. senator from Kentucky. We first met in Judge Craddock's law office at Frankfort, and were introduced by our mutual friend, Patrick Upshaw Majors. Lindsay then weighed near 300 pounds and his face was strongly suggestive of jowl and greens, while I was thin and spare. My mother was a lineal descendant of the first American Lindsay, and Judge Lindsay and I were of the same blood and kin; but he did not know this. Looking quickly from the Judge to myself, Majors said: "Pardon me, gentlemen, but from certain lines in your faces you two must be of blood kin." The relationship was soon traced in a definite and satisfactory way. Then Judge Lindsay said that if we indeed were of kin, I might have heard the story of the clan. To me his story had been familiar family history from my earliest recollections, and was, as repeated by him, substantially this: From very early Colonial days the American Lindsays were Southern planters; that, following the custom of time and country, these Lindsays always lived in their own

houses, on the hill and in the country, and did not believe that any gentleman ever could live in any other way, as the town was made for and fit to be lived in by no one save shopkeepers, blacksmiths, and others who had to work; that in those days it was for generations the custom of the male members of our clan to remain at home, ride around and superintend and direct the work on their plantations all the week, until Saturday morning came around; that then they rode on horseback to their county seat or other trading town, first transacted their weekly business, and that done, they always drank toddies until the shank of the evening, when they started homeward, and then, if they found they could get into the saddle without assistance, they always knew they had not had enough, and went back for another drink!

The typical Virginian is an aristocrat; their Kentucky descendants are democrats; and up to the day of his death William Lindsay possessed all the best traits of both.

PATRICK UPSHAW MAJORS, then a scholarly, retired member of the same bar, was to me a marvel in his way. Without a moment's hesitation he knew and cheerfully gave the history of any family that settled upon any one of the English-speaking isles in the past three hundred years, and knew more about heredity and human faces than anyone else I ever met. Many a time he pointed out persons and told me just how each was the direct descendant of someone who had done a given great deed either across the water, or in Colonial days, or in some war in this country. And in one of the many unheard-of family histories he gave, he once told me just how I was of blood kin to Zerilda, the mother of the notorious James boys of Missouri

History says that Santa Anna, the once distinguished general of the Mexican Army, was a native of Jalapa, Mexico;

but Majors once told me of a long talk he had at Frankfort with Santa Anna while that gentleman was *en route* to Washington at the close of the war with Mexico in 1848, in which the two agreed on this: That the mother of Santa Anna was of the clan Lindsay, married a man named Sanders, and the two lived together at the mouth of the Kentucky River in that State, where Santa Anna was born; that his mother died at his birth; that soon thereafter his father fled from Kentucky to Mexico with the infant, still in arms; that at Jalapa he was adopted and reared by a Mexican family; and that, just prior to his death, his father had confessed that he was charged with a Kentucky crime, and then told Santa Anna the strange story of his life.

Another curious story that this ruthless destroyer of the written once told me was that at one time he and his brother Sam owned and edited *The Yeoman*, a Frankfort newspaper; that they had a private library of thirty-five thousand volumes, were well to do, and felt it their duty, as well as pleasure, to entertain at their Southern home all newspaper men who came to Frankfort; that among other correspondents they were dining one evening just after the battle of Perryville, in 1862, was a young, serious-faced, silent correspondent of a Northern newspaper, whom my friend closely studied. At the close of the dinner, and in the library, Judge Majors said to this young man that from his face he must have been born, or was closely related to, a family of his name that used to live in that State up at Nicholasville. The young man protested that this could not be true; that there was not a drop of Southern blood in his veins; that he was intensely loyal to the Federal Government and had never been in the State until sent there as a war correspondent; and closed by asserting that his ancestors of his name

came to this country in the "Mayflower." From the library the Judge first took a volume containing an alphabetical list of all who came over on the "Mayflower," and next a book giving a like list of all who came to America in the next sixty years; but in neither appeared the name. This omission was quickly accounted for by the young man upon the theory that the two books were compiled later and that their writers were not familiar with or careful of their subjects. Before retiring for the night, however, the young gentleman called Judge Majors aside and apologized for his persistence, urged his loyalty to the principles he advocated, and said it would injure him with his people and paper if the truth were known; but then confessed that he had been born at Nicholasville, Kentucky. The name of that brilliant young war correspondent was and is Whitelaw Reid.

While I could never be quite sure as to the accuracy of his stories, yet he dwelt in memory upon the good old fighting times when every Kentucky gentleman prided himself on being "half a hoss and half an alligator"; while for hours I listened enchanted to personal reminiscences of his old Frankfort friends, Theodore O'Hara, Richard Menefee, Dr. Sanders, Henry Honore, Charles Julian, Elijah Hise, Ben Hardin, Benjamin Gratz, John Mason Brown, Thomas Lindsay, and many others whom I never knew. Truth and fiction from his lips were always alike interesting to me.

MARYLAND.

About two years after my admission to the bar, Missouri clients sent me to Hagerstown, Maryland, to look after their interests in a large case that had lain there in chancery since early in the '50s. The title of the case is immaterial, but it was known as "the Long-will case" and was numbered "4444,

equity." From the bushels of papers in it, I soon saw that generations of lawyers had been in the case, and that, among others, nearly every member of that bar then represented some angle or side of it. Although abolished many years ago in England, yet the rules of practice once prevailing in its High Court of Chancery are now followed in Maryland, as in our Federal Courts, and under its terms and conditions every lawyer of that State seemed an adept in all the rules of procedure, pleading, and practice in that branch of the *lex scripta*.

After long and close work, our case was at last all unearthed, recast, revived, and won. Our share of the net proceeds aggregated many thousands of dollars. In our many legal wrangles at the Hagerstown bar, the lawyers here named all appeared in that case, and as now recalled their chief characteristics were these:

WILLIAM H. SCHLEY was an old-fashioned Southern gentleman and an excellent lawyer, in addressing court or jury, but always preferred to make an apt Latin quotation to winning his case. His law office was on the ground floor of the main street, and at the close of each argument his unfailing custom was to repair to his consultation-room and from an old-time jug there take at least one good long solemn drink of "Maryland rye, suh; the choicest in the land, suh." He came originally from Frederick, in that State, and more than once told me of a little stone house that had been used for the same purpose there since early Colonial days; of how the rich planters of the nearby valley of the Cumberland had for generations daily started to the town of Frederick, but could never get past and invariably remained all day at the house where such excellent drinks could always be had; and that during all the years this old stone house had borne the suggestive name of "Speed the Plow."

LOUIS E. McCOMAS was then an able and brilliant young lawyer, was later U. S. senator from his State for a full term, and died down at Washington only recently as a Justice of some Federal Court.

HENRY KYD DOUGLAS was then the most gallant and handsome gentleman of the Maryland bar and one of its foremost public orators; when I knew him, he had been on the Confederate side of the Civil War and was once an honored aide de camp on the staff of General "Stonewall" Jackson.

MINNESOTA.

ELL TORRANCE, Minneapolis, went from his father's farm into the Union Army, came westward when the fighting ended, located in Missouri, became a Judge at Linneus in 1872, was active and enthusiastic as a young Republican, made speeches for his party, went as delegate to many conventions, served as chairman of the Congressional Committee, and moved to Minneapolis in 1881. Except for this removal, our life lines ran exactly parallel; we had lived in the same district, not many miles apart, and each had visited the home of the other many a time. In all these years he was both great and good, and I was sorry to see him go. In his new home up north he soon became deservedly prominent and popular.

So in 1902 I was proud to see my friend again as he rode at the head of the column as the Commander-in-chief of the G. A. R., and again watch him on the grand stand at Washington, alongside of General James Longstreet, late of the C. S. A., with other dignitaries, as he reviewed that wonderful procession of our war veterans; carrying in their ranks the remnants of many a battle-scarred flag that we had followed in boyhood, as once more the boys of 1861-5 paraded the streets of the Nation's capital down at Washington. At

such a time it seemed strange that another thought should come up, but it did. For I reflected upon the days of our youth and early manhood; of how we had shouted ourselves hoarse as we told the people of Missouri the old, old story, that a given election was by far the most important of our times. That same cry still goes up, and maybe the young still believe it, as we did long ago. But as the hair grows thinner and grayer the average American begins to learn, and by 1902 we two realized the truth and wisdom of the immortal sentiment—"God reigns and the Government at Washington still lives."

In the summer of 1882, my wife and I spent our vacation on a tour of the northern lakes, *en route* stopping and visiting at Toledo, Put-in-Bay, Detroit, Duluth, the Falls of Minnehaha, and rounding up at the Nicollet Hotel in Minneapolis. Careless and improvident always, while alone in the world I was indifferent as to whether friends should lay me away or the potter's field be my final resting-place; so money never counted, while the other kind of trouble sometimes hurt, and the sole question was: Is the cash at hand to pay for the particular thing I want—not need? My wife, however, had more practical sense, and at her suggestion we there took an account of stock, only to find that our joint cash capital was ninety-five cents. She was dismayed, for there we were, in their best hotel as if millions were in our pockets, strangers in a strange land, over one thousand miles from home. My own normal condition was to go broke away from home, yet somehow I always got back, and that situation rather amused me. So I lighted a fresh cigar, took up Al Blethen's daily paper, quoted that Biblical story about never having seen "the righteous forsaken, nor their seed begging bread," and was proceeding to enjoy life in my own philosophical way, when Mrs. McDougal happened to cast her eagle eye just across the street

from our rooms and called my attention to a window sign which bore the legend, "Ell Torrance, Law Office." Both had overlooked the fact that he lived there, nor did we know that succor was so near. But the timely discovery of this old friend settled everything; we soon met; our monetary embarrassment was ended, and together with our wives we fished and boated for days up at Lake Minnetonka.

Early in 1884 I determined to remove from Gallatin to some larger city, where I could pursue my profession and at the same time remain at home and become acquainted with our children. A close and careful investigation was made of then existing conditions, with this rather surprising result: ninety-four per cent of our greatest American lawyers were transplanted from country towns to the great cities, and of these, ninety per cent were originally farmers' boys; while the money end of litigation was either upon the decrease or at a standstill in all our larger cities save New York, Kansas City, and Minneapolis, where it was on the increase. To further look over the Western field, wife and I again went northward and again were the guests of Judge and Mrs. Torrance, at Minneapolis. While our wives remained in the city discussing religion and tea and dress goods and shopping day after day, the Judge and I were off to the lakes on another fishing expedition. There we were guests at a hotel kept by a lop-eared corpse (other name not recalled) and his wife, and often wondered why that fellow did not have the decency to die, so that his buxom and pretty wife could remarry some lusty young brute and live happy ever afterward. Within a few weeks after we left, this young tavern-keeper did become an angel, and on account thereof his widow promptly committed suicide! Why? *Dios sabe* (God knows). But neither of us ever understood women anyway. Concluding that Min-

neapolis must always rely upon its wheat and lumber interests, and that there could be no limit to the growth and development of Kansas City, we decided upon a home here. While we were guests of the Torrances, the National Encampment of the G. A. R. for 1884 was held at Minneapolis. But, as Kipling says, "that is another story," and must here come under the title of "Soldiers."

NEW MEXICO.

JOHN Y. HEWITT, White Oaks, is today a clever, level-headed, learned lawyer. He was born and reared in Ohio, went to Kansas and was there an official of early Territorial days, served throughout the Civil War in the 2nd Regiment of Kansas Cavalry, and thence went down onto the New Mexican frontier in 1879. He has since then lived at White Oaks, and has there been a lawyer, mining and newspaper man, as well as Department Commander of the G. A. R., and is now a Democratic member of the Territorial Council from a Republican district.

Ever since his residence there I have been part owner of the properties of the Gallinas Mining and Smelting Company in his county, and since 1881 I have spent many of my summers at and about our mines, with headquarters in Judge Hewitt's home town. During all these years I have known him rather closely as a professional, social, genial gentleman.

When I first went into the country, White Oaks was a busy, bustling mining town, with more good, honest, honorable, up-to-date, men and women in it than any other place of its size I have known. Then it was ninety-five miles to the nearest railroad; now the nearest station is only twelve miles away,

at Carrizozo; but the town is neither so large nor so prosperous as it once was.

I spent much of the spring and summer of 1902 at White Oaks, for I was far from being well. In their kindness and attention such old-timers as Hewitt, Ozanne, Sager, Bull, Paden, Spence, Taliaferro, Cavanaugh, and a lot of others, were always unremitting; and, when able, I joined "the gang" at 4 P. M. sharp every afternoon for a social game of cards in the back room of the Little Casino, a saloon there, then kept by Captain John Lee. We all wore blue cotton overalls, and if anyone gave a thought to aught but the game, I never suspected it. And sometimes we were joined by a bright little Frenchman, who lived in a little cabin just up the gulch, and whenever he made a particularly good play, it was his custom to exclaim, "Sair, it do beat heil how Chesus lofe me!" While this frog-eater knew the game and played it, the strongest hand in the bunch was played by old Dick Cavanaugh.

Soon after I left there in 1881, Emerson Hough struck the town and practiced law for two or three years at White Oaks. This native of Loudoun County, Virginia, sailed his bark on the troublous sea of our profession for only a few years, and then had the good sense to quit the law and engage in making money by writing books. He wields a facile pen and has written many good books. I have read them all; but his one novel that always interests me is his "Heart's Desire," for that was and is White Oaks. Hough's descriptions there given of people and climate are true to life and place, and for years I have been familiar with almost every character he brings upon the stage, and with every mountain, arroya, rancho, and plain mentioned. Nothing can be finer than his Tom Osby—a real name and character of that country—and I still believe the Dan Anderson of that book in the

main portrays the life and history of my lawyer friend Hewitt, while the original still swears that this character is purely fictitious. With his wife, some four years ago, Hough revisited White Oaks and wrote up in *Field and Stream* his personal experiences and his old friends there, in a most charming manner.

Not in good health again, as the direct result of hard close work in an Osage Indian case at Washington, I returned to New Mexico last year, in charge of our youngest daughter, Florence. After leasing our mines up in the Gallinas Mountains, we visited Corona and Carrizozo, and then spent the summer at White Oaks as the guests of Judge Hewitt. He is the principal citizen of the place, and owns much stock in the Old Abe Mining Company there, with other property all around him. His good wife has for years lain in the White Oaks cemetery; they had no children, and this soldier, lawyer, and philosopher now lives all alone in his big adobe mansion on the side of old Carrizo Mountain and in sight of his law office, with books and papers and pictures in every guest-room, while the mountain view from his front porch is an unfailing delight. The Judge and Florence prepared our breakfast and luncheon there at the house, but in the evening we dined over in town at the Hotel Gallacher. Hewitt daily either drove or walked me to regain my strength; and such mountain horseback rides as my daughter had there are never to be forgotten. Friends drove us on visits to many of the adjacent towns; but, with a retinue of servants and friends, Judge Hewitt gave us our most pleasant outing. This consisted of a nine-days drive of over two hundred miles through the mountains, around Nogal Peak and Sierrro Blancho, camping out every night, in that soft climate, and *en route* spending two profitable and (to daughter) novel days among the Mescalera

Apache Indians at their Reservation on the head-waters of the Rio Tularoso. After this trip, my daughter and a young gentleman, to whom she had plighted her hand long before, suddenly determined to marry. His name is Ralph M. Roosevelt. As he was all right in all ways and Florence was twenty-three, there was no possible objection to the match, and what was I to do? He wanted to marry my beloved baby, and for that reason I felt like using a shot-gun on him, but did not. So, late in the afternoon of September 7, 1908, they were duly married in Judge Hewitt's parlors at White Oaks, and he and I alone witnessed both the ceremony and marriage certificate. That night, as per program, the Judge gave them a big party, and introduced the bridal couple to the surprised guests; all danced till "the wee sma' hours," while I quietly withdrew and went to bed at midnight. The town and its people were always good to me; I like to visit them, and so, accompanied by my good wife, I went back there this year, and Mrs. McDougal and I were again the guests of my friend.

On last Memorial Day, May 30, 1909, we three first repaired to the cemetery near by and solemnly decorated the graves of loved friends who will rest and sleep there until the judgment day, beneath the shadows of mighty mountains; and then, from place and scenes so familiar to her, we wrote and mailed to daughter Florence, at her new home in Springfield, Illinois, this letter:

"Beloved:

"From where the rays of Heaven's sweet sunshine first kiss the crest of peaceful Patos, beam their noon-day warmth on frowning Carrizo, cast their light on majestic Lone, and lastly bestow their good-night benediction upon the golden crown of wondrous Baxter; and from every cañon, arroya, gulch, and mesa around 'Heart's Desire,' two old soldiers of the Republic, for whom youth's cannon and musket are now forever dumb and war's sword sheathed, on this sacred day

of their holiest memories waft to you, across mountain, desert, plain, prairie, and stream, on this the twenty-fourth anniversary of your happy birth, their warm, gentle, tender, and loving congratulations.

“Faithfully,
 “Official: HENRY CLAY MCDUGAL.
 JOHN YOUNG HEWITT.
 “Emma F. McDougal,
 “A. D. C.”

The average man, who works without ceasing and thinks of nothing else, may make and save money; constant reading and reflection may bring the world's knowledge to anyone; but wisdom is always rare and blesses only the few. Love and cherish him who combines wealth, knowledge, and wisdom, for he is seldom found. His name is John Young Hew.

NEW YORK.

LOUIS C. KRAUTHOFF. From a poor, struggling German boy, when first we met at Jefferson City, by his unaided efforts, close application, and sterling integrity, this young man has come up through all the grades of the law to his present lofty position at the bar of the Nation's metropolis. For more than ten years he was a member of the Kansas City bar, and here did such excellent legal work that he became the recognized and actual leader of our National Water Works Company in its long-drawn-out and hard-fought litigation with this city. His splendid abilities called him from here to Chicago, and thence to the ultimate home of so many of our greatest American lawyers—the city of New York.

WHEELER PECKHAM, of the same bar, in private life was one of the strongest and tenderest of men; but in court he was never happy unless in a row with the Court and with opposing counsel and witnesses. His battle royal with Mr.

Justice Brewer in the waiting-room of the dinky little way-station at North Ferrisburg, Vermont, in 1895, remains in memory now as one of the heaviest engagements I ever witnessed. Brewer had a summer home near this station. We had defeated Peckham's side upon some question in our Water Works litigation, and from that decision he wished to appeal. Upon that particular question the Justice leaned our way, and I had but little to say. Peckham fought for his appeal; Brewer opposed it. The combatants were intellectual and legal giants and their masterful fight of over an hour was at the time printed in full in the papers of the country. When it ended, Peckham and I walked the platform waiting for the belated train, and with the pride and enthusiasm of youth he there gave me an account of his early legal struggles up in Minnesota and ultimate triumph in the State of his birth, and when the train came, we went together to New York.

During Cleveland's second term as President, he nominated Peckham for office as one of the Justices of the U. S. Supreme Court. Not knowing the inside facts, I do not here speak by the card, but have always suspected the members of that Court of convincing the Senate that, on account of his known contentiousness, Wheeler Peckham was not a fit man for that bench. While not confirmed, yet he died great as both man and lawyer.

ELIHU ROOT, although then a young man, was the general counsel of the old Hannibal and St. Joseph Railway Company about the middle of the '70s, and in private, as well as in his positions as Cabinet officer and now U. S. senator from New York, I have often seen and studied the man and his methods ever since. In all places he has demonstrated the fact that he is the same clean, level-headed, genial, easily approached lawyer, and it is not strange that our people have

come to esteem him as the strongest and ablest American to-day in public life. The reason for this is found in the saying of some forgotten sage, that he has always thought and worked with his strength of body and mind, his learning, wisdom, intelligence, and conscience, and therefore his conclusions must be and always are correct.

In Root's law office in New York in 1876, and in the interest of a banker of that city, an able and learned law friend of mine, the late George Wood Easley, prepared a written opinion upon some question relating to our Missouri railway bonds. The subject, statute, and decisions bearing upon the question were all familiar to Mr. Easley and myself, and his opinion was short and pointed. Happening in that city at the time, Easley asked me what he should charge for his opinion. The question seemed so easy, the answer so obvious, and the opinion so short, that I guessed its value off at \$100. Easley and I concurred in the belief that this sum would be a big fee up in North Missouri where we practiced; but Mr. Root, who had heard our talk, suggested that the charge should in no event be less than \$1,000, and further, that Easley's client would the more readily invest his money if the fee were fixed at five or ten times that amount.

While in the law practice in the city of New York about 1878, a young hare-brained lawyer, whose name is here immaterial, challenged Root to fight him a duel, and in reply Elihu only said: "I know of no law that can keep a man from making a damned fool of himself." Every effort was made to keep the row from the ears of his good mother, who had long been ill, lest the sad news should bring on a relapse; but when finally the whole story leaked out, the only comment by the placid Mrs. Root was, "I didn't think Elihu would use such language."

In 1906, and while he was Secretary of State, Elihu Root and Edward Henry Harriman, the railroad wizard of the world, who died only yesterday (September 9, 1909), were here, the guests of this city. We then gave them a banquet at the Kansas City Club, and both not only made speeches, but a most favorable impression upon those of our people who had not previously met them.

OKLAHOMA.

TIMOTHY JOHN LEAHY, Pawhuska. For more than a dozen years this fearless young man and able lawyer has stood like a stone wall between the Osage Tribe of Indians and the inside and outside grafters who have preyed upon that naturally truthful and once happy people. He ably represented his district as a member of the convention which framed the new Constitution of Oklahoma, and, preferring the freedom and independence of his lucrative law practice to a public office, has lately declined an offered judgeship. His sterling integrity and straightforward course toward people, bench, and bar have won for him throughout a vast scope of country the title of "Honest John Leahy," and modestly does he bear that high honor. He married into the Osage Tribe, and with his accomplished wife and four children spends no little time in travel, but for the most part devotes his attention to the practice of his profession.

The Osage Tribe of Indians forms the wealthiest part of our population, estimated at \$25,000 per capita when their rolls were closed in 1907, and has had a most curious and interesting history for many past generations. In 1895 the rights of four hundred and forty-five members of that tribe were questioned, and in 1907 the rights of many of these, along

with others, were again contested upon various grounds. In both instances Mr. Leahy appeared for the contestees, as their legal representative, while I was on that side for what was locally known as "the Omaha family." In the contest of 1896-8, with Judge Warwick Hough, of St. Louis, I was often for months at Washington; while in the contest of 1907-8 I appeared for this family of forty-nine members, alone, and Leahy then represented nearly all the other contestees. In this last contest John and I were much at Washington, and worked, studied, argued, and fought together for many months there, and naturally I came to know the man and value the lawyer. My clients were all mixed-bloods, and through their mother were originally members of the Omaha Tribe; but through their father all rightfully left the Omahas about twenty years ago, and then became members of the Osage Tribe of Indians. Hence both contests finally involved their rights to their Omaha land allotments, as well as all tribal rights as Osages. For them I appeared at Pawhuska, took depositions for many days up on the Omaha Reservation in Nebraska, and never let up anywhere along the line until both contests were won on every issue. Although vast interests were at stake and our side finally came out ahead, yet the game was not worth the candle. I made a common mistake in not bearing in mind that I was no longer a boy. Leahy was young, active, efficient, willing, but his hands were full, for he had more clients than I. Being in Washington without associate or client, I attempted to do and did everything myself; my printed brief alone covering eighty-seven pages. The direct result of this long work and worry was a mental collapse, with broken ribs, from which my recovery was painfully slow; but now a year of enforced idleness and illness, travel, rest, and taking the world easier than ever before, have brought me out all

right. It is a pleasure to add that Leahy won all his cases, save for one family, and his suit in that case is still pending.

In days of old, among the unaffected Indians and the early white pioneers of Indian Territory, Leahy's country was an ideal place in which to camp out and hunt, fish, boat, rest, and loaf. But advancing civilization brought them Statehood, adventurers, good citizens, grafters, education, laws, churches, schools, prohibition, game and fish wardens, etc., with all their attendant good and evil. So, in silence, with emotions mingling both hope and regret, I have watched across the borderland, as all these changes have come, and have seen the old order of things pass away forever.

TEXAS.

GEORGE E. MILLER, Fort Worth. Trying cases in court against and then with a real lawyer is much like soldier life in war-times; in either case the man becomes known inside and out. So by this time I know George E. Miller well. He is a native of Mississippi, but went to Texas early, and when first I met him there in Wichita Falls, had just closed a term on the bench as their Circuit Judge. With a cloud of other attorneys, I was employed in two big bank cases against the Wilsons down in the Judge's country, years ago; I went to Archer City, and there procured a change of forum in each, and later argued questions of law and fact as they came up in the U. S. Circuit Court at both Dallas and Fort Worth. Miller, along with many other lawyers, was on the other side. With the others the sailing was easy; but not with Miller, and when he got the floor, the unexpected always happened and I never knew what was coming next. He knew the complicated plead-

ing and practice of that State as few lawyers ever know anything, and was at home in all phases of these cases.

Later on, he practiced for some years at the Kansas City bar and we were together in several cases; notably in one to contest the will of one of our wealthy citizens who had been called hence. Mild-mannered, genial, and gentle in all other places, Miller is a perfect fiend on his feet and argues questions of law and fact, to either court or jury, with most consummate skill and ability. Unless a halt be called to eat or sleep or nip, Miller thinks, acts, and talks law all the time, and no doubt dreams about law cases by night; but when switched from that to history or literature, the surprise is that he is also equally familiar with that field. When, or how, or where he picked all this up, *Dios sabe*, but it is his.

WASHINGTON, D. C.

ASHLEY M. GOULD, a native of Massachusetts, was for some years an employee of the Department of Justice at Washington; he came West and practiced law for half a dozen years, and then returned to the national capital, where he is now serving a life sentence as one of the strongest and ablest Justices of the Supreme Court of the District of Columbia.

While in the Department of Justice, Gould once testified for the Government in one of the Star Route trials, which was defended by Colonel Bob Ingersoll. On cross-examination the Colonel went into details as to Gould's employment, salary, and where and how he lived, ate, etc. This so nettled the young man that he answered rather flippantly, and at last said he "managed to eat three square meals each day." The genial Colonel smiled, calmly looked his young friend over, and then drawled out: "Ah! Mr. Gould, you don't look it." On the

bench today, the now portly Justice, who was then thin, still bears in mind the Colonel's drawl and protects the young witness.

While in Kansas City we were law partners for a time, under the firm name of McDougal & Gould, and but few have a keener insight into the merits of any question of law or fact than Gould. When he left here to return East because of the settled melancholia of his wife, I fell heir to his old-time friend John Stevens. Together we often drove throughout this city and down to Independence in the old days, and I recall now that on one occasion, on our return home, John repeated from memory every word and line of "Locksley Hall" and "The Raven," while between-times he talked of his beloved friend Gould.

SANDERS WALKER JOHNSTON. While this venerable jurist was more than a decade my senior, yet, for nearly forty years prior to his death, on January 1, 1905, he was my running-mate at Washington, and was not only a great lawyer, but one of the most courtly, genial, accomplished, and scholarly gentlemen of his time. He was a native of Kentucky, but early went to Ohio, and became one of their captains in an Ohio regiment in the war with Mexico, in the division commanded by General Franklin Pierce. Upon the approval of the Kansas-Nebraska Bill on May 30, 1854, President Pierce at once appointed his war comrade, Johnston, as the first U. S. Judge of the newly created Territory of Kansas, and he was later associated on that bench with Chief Justice Le Compte and associate, Rush Elmore. Here he served with his usual ability for two years, when a disagreement arose over some political decision, and Justice Johnston, without fault of his, was removed from his office by the President. Then he at once

opened a law office at Leavenworth, Kansas, and continued in the practice of his profession there until his health failed him in 1864, when he removed to, and thereafter resided at, the national capital. Upon his death I wrote a sketch of his life for the *Kansas City Journal*, which is also preserved by the State Historical Society of Kansas in its archives at Topeka. One of my many pleasures in the old days at Washington was the enjoyment to the full of all the good the gods provide at Harvey's, Chamberlain's, or Wormley's, with such princes as Judge Johnston, Dick Wintersmith, General Dan Sickles, John Chamberlain, Tom Ochiltree, and others of their kind.

Many personal incidents in the busy and long life of this gentle man should be preserved in print; but Judge Johnston was so modest that his friends could never prevail upon him to undertake it. Among others, however, I now embalm a few of the stories as he told them to me:

Away back while he was yet a young country lawyer in Ohio, Johnston journeyed down to Cincinnati for the first time, to consult his friend and associate, William H. Lytle, about a law case they had together, and accepted Lytle's invitation to attend the theater. The great Matilda Herron was on the boards in "Camille." As a young man I saw Matilda in the same character years later, and her rendition of her part had precisely the same effect upon me; the only difference was that I was silent, while Johnston was not. Lytle and Johnston looked and listened as long as the latter could stand it. Then he whispered: "Lytle, this is a damned shame; here we two stalwart young men sit and look on while that poor girl plays on for our entertainment when she is dying of consumption; I can't stand it any longer. Let's go away now." Lytle was an old-stager and knew things, and Johnston's earnestness struck his "funny bone"; so he kept on repeating the protest

until their section of the theater was in a roar of suppressed laughter. Those on the stage were disconcerted, and at their request three policemen were sent in succession to that part of the house. To each of these Lytle repeated the story, and one after the other left laughing. Johnston and Matilda were both guests at the old Burnett House, and the next morning he received an urgent request to visit Matilda in her apartments, and did so. The little and then healthy-looking young woman introduced herself, and said: "Mr. Johnston, I have heard and know all about what you said at the play last night; tell me frankly, were you then in earnest and did you mean what you said?" Always gallant as well as truthful, Johnston replied: "Madam, as God is my judge, I was never more sincere in my life." Calming herself after her tears of joy and triumph, Matilda said: "Unconsciously you have paid me the highest compliment of my professional life. I have studied consumption in most of the hospitals of Europe and America for years, and have breakfasted, dined, and supped with that dread disease, and now, if I have succeeded on the stage in so deceiving a strong, sensible young man like yourself, my cup is more than full." No matter when or where she played after that morning, if Johnston was in town, Matilda always furnished him with a complimentary box for himself and friends. This lawyer Lytle afterward wrote, among many other commendable verses, the living lines of today found in his "Antony and Cleopatra," and later still fell at the head of his command, as General William H. Lytle, on the field at Chickamauga in 1863.

Judge Johnston's first wife was the daughter of General Thomas Hamer, who, as an Ohio member of Congress, sent Ulysses S. Grant to West Point. There was born to them a daughter, named Mary Johnston. Since her early childhood,

I have taken a personal pride in this girl, because she had the sweetest voice to which I ever listened and was for years on the operatic stage on the Continent as Marie Decca. The Judge remarried afterward, and one summer, not many years ago, he was spending a few weeks up in the Blue Ridge Mountains with his wife and Mary. Among other places, they visited a chapel erected in the woods there to the memory of one of the great ones of the Old Dominion—Bishop Mead. Noticing that the chapel-seats were upholstered with some material unknown to him, the inquiring Judge was informed that they were "stuffed" with the priceless writings of that once famous divine! The same party also then visited a descendant of the immortal Mead, and were there introduced by their hostess to a lady of uncertain age, who, in the courteous language of her country, presented this lady as "our guest from Jefferson County." While their hostess was out of the parlor for the never-failing cake and wine of the valley, for the want of something better to say, the Judge asked the guest how long she had been up there as a visitor from Jefferson, and, to his surprise, received this reply: "Well, suh, I don't recollect exactly, suh, but I came up heah sometime before the big wahr, suh." Mary fell off her chair!

Originally their clan came from bonny Scotland, where they were known far and wide as "the gentle Johnstons." Leisurely wandering over Europe once, the Judge and his party were in that vicinity and got off the train at some little way-station. Accosting a canny native, the Judge asked if any of the Johnston clan lived around there now, and was answered with, "Hoot, mon! there is nane ither."

In private, Judge Johnston always honored me by addressing me by my given name. He had not revisited Kan-

sas City since he left this country in 1864, and, like other old-timers, remembered this town as "that small village near the mouth of the Kaw." Shortly before his death, as I was in my rooms at Willard's one morning, scanning our local papers, the Judge came in, full of talk as usual, and wanted me to listen. I did so, but unconsciously kept hold of the *Journal* I was reading. This evidently displeased him, for he said: "Henry, for God's sake put down that paper; what the hell could happen in a little place like Kansas City?"

On one winter occasion, years ago, Judge Johnston gave Senator Dan Voorhees, his daughter Mary, and myself a dinner up at Cabin John Bridge, above Washington, and drove us thither in a closed carriage. *En route* home our carriage was enlivened by many old songs which were given us by the Senator and Mary, for the dinner, with all its accompanying good things, had been most excellent, and the Senator could sing as well as make a speech. Soon after this, Judge Johnston and I made the usual New Year's calls for the national capital, and the Senator's house was among our first calls. He was too ill to meet us in person, but sent down his regrets. Within a short time after this he joined the silent majority. The Judge and I continued our calls, and the last one of the day was made at "Stewart Castle," on Dupont Circle. For long years I knew both Senator Stewart and his accomplished wife, then a beautiful, white-haired, cultivated woman. She lost her life in an automobile accident at San Francisco, years ago; while the venerable Senator closed his accounts down at the capital just the other day, at the age of eighty-two. Mentally noting the fact that Mrs. Stewart welcomed many foreign legations on that day and talked in the language of their country with each, as we left the house, upon inquiry as to who she was and where and how she had picked this

all up, the Judge said: "Why, she is the daughter of old Senator Foote, of Mississippi, and has spent more than half her adult life in travel and study."

In his ten years on the frontier of Kansas, Judge Johnston spent much of his time among the Indians, and few men ever knew their characteristics better. Naturally truthful and honest, the full-blood as well as the mixed-blood Indian has been so long systematically robbed, plundered, and corrupted by contact with the whites, and particularly the missionary, that he is now neither understood nor appreciated. When the whites first established a trading-post at San Francisco, over a hundred years ago, no Indian was heard of who would spend the night there. They came in their skins and blankets and did their trading at Frisco, but retired to the adjacent hills for the night. Pressed for their reasons for this, an old Indian at last said: "This is shaky ground." Frequent earthquakes in later years have demonstrated the correctness of the old Indian; that ground was, always has been, and still is "shaky." So the older Indians protested against the thick settlements around the west bottoms of Kansas City, at North Topeka, and at Marion in Kansas. "High waters come and drown white people," they said; and they were right. But I never so much appreciated the accuracy of their knowledge until of late years I have noted the oncoming of the waters at the places named.

As illustrating the susceptibility of the average Indian to white influences, Judge Johnston often told me this incident: In the early Territorial days of 1855, Justices Johnston and Elmore were driving across the prairies from the Shawnee Mission to hold court at Lecompton, when they espied a blanketed Indian, out in the open, making a bee-line to intercept them on the trail. He was standing alone by the way-

side when they drove up and stopped their buggy. Then, without a word, the consequential red-skin, from the recesses within his blanket somewhere, fished out and presented to them a big official envelope addressed to himself. This to show that he was a big Indian—a man of parts among his people. He then said “How?” and, speaking in very good broken English, continued: “Me good Christian Indian; me love God; me love white man; got any whisk?” They said, “No.” Drawing his blanket around him as only a dignified missionary convert to the white man’s faith can, the Indian slowly strode off over the prairie, and simply said: “Ugh, God dam!”

I never knew John Brown, of Osawatamie, personally, for he was hanged in my native State about seven years before I came West and I never saw him; but under this heading of Judge Johnston seems a good place to correct some popular and historical errors concerning John. When a boy at home, I read in the paper the account of John Brown’s raid on Harper’s Ferry, and recollect that I went to the dictionary to see just what that word meant, for my attention had never before been called to the word “raid.” And when he was executed at Charlestown, in December, 1859, for his wild exploit and violation of the laws of the Old Dominion, one lad within that State was thoroughly satisfied that he had met with a just fate and shed no tears. Although a Republican in politics, I have not sympathized with either the man or his methods, for all law should be obeyed while in the statutes, and repealed if, and when, wrong. Hence, since coming to Missouri in 1866, I have made something of a study of John Brown, and not only talked often with Judge Johnston about him, but also with Robert T. Van Horn, Daniel R. Anthony, Sr., John Speer, Johnson Clark, John Young Hewitt, Daniel Webster Wilder, and others. Many of these men became citizens of Kansas

Territory as early as 1854. In addition to all this, I have recently read that great book on the early history of Kansas written and printed by George W. Brown, now of Rockford, Illinois. This book-writer owned and edited *The Herald of Freedom*, published at Lawrence in Kansas, from 1854 to 1864. And all these men personally knew John Brown, the man, and in the same way knew what he did in Kansas and how it was done. Senator Johnson Clark, who lived on the Pottawatomie, in Miami County in Kansas, near by John Brown's headquarters, and the famous "Dutch Henry Crossing," from 1856 to 1889, is now a resident of Kansas City, and knew Brown as well as any one in that Territory, said to me very recently: "The picture found in histories and magazine articles labeled 'The Kansas Cabin of John Brown' was in fact constructed on land belonging to John Hanway, by his father, James Hanway, and myself, as and for a smoke-house, in order to cure and preserve the meat of our lean hogs in the great drought which prevailed in Kansas Territory in the summer of 1860; and when John Brown was executed in Virginia in 1859, the trees from which this smoke-house was built were standing and green in the forest. The pictured cabin is the reproduction or one taken many years later by Mr. Barker, who was a picture man at Ottawa, Kansas. More may be read about both Brown and myself at page 425 of the autobiography of John Speer, of Kansas."

This Johnson Clark was a Kansas State senator from his district in 1862 and 1863; he is a native of Maine, and is today, as he has always been, a Republican.

I am not unmindful of the fact that this John Brown had and has an international reputation; that books, sketches, and poems have been published lauding him to the skies and seeking to make him out only a trifle lower than the angels; and

that he is therein painted as a martyr, savior, saint, and all that. But from my talks with the gentlemen whom I have named as well as with many others who knew all the facts and the man, and from my reading and study of Western men who know and think and dare express themselves upon any public or private question, my own deliberate conclusions relating to the time and place are: That in the terrific struggle of the border, from the day Kansas became a Territory, in 1854, until it was made a State, in 1861, the lawless element on both sides of that conflict there feared, and made earnest, though often ineffectual, efforts to be and remain within the letter of the law; and that with them the main question was: How far may or can we go and not openly violate the Constitution and laws? They tried to be legally honest. That it was, and still is, charitable, kind, and more consonant with the truth to conclude that John Brown, James H. Lane, and William C. Quantrell, once of Kansas, were all either lunatics, fanatics, or degenerates—probably a little of each. Each was strong and forceful in his way; neither was a petty thief, nor a direct murderer, yet no doubt each there caused the death of more than one personal or political enemy back in the earlier years. That, although an earnest, restless, courageous man of more than average intelligence, yet John Brown was not truthful, and was a fanatical follower of those who sought the freedom of the Negro slave; that, during his less than three years there in Kansas, he never at any time owned a cabin, or a spring, or a foot of land; that, through his intemperance of speech and lawlessness of action, he there did more actual harm to the righteous Free State cause, fought and won despite of him, than any one hundred Pro-slavery men in Kansas Territory, and that he was then and there regarded in his own party, by those who knew him best as a common liar, slave-thief, and mur-

derer. Misconception of exact facts, mistaken notions of alleged patriotic motives, or maudlin party sentiment may move the many ; but such fawning flattery of the man John Brown, as he was well known to Kansas, led the old-timers to believe Tom Reed, of Maine, right in often saying that written history is made up from "lies agreed upon."

IV

PRESIDENTS I HAVE KNOWN.

ANDREW JOHNSON. One morning in the spring of 1866, I accompanied U. S. Senator James A. McDougall, of California, to the White House, to call upon President Johnson. The Senator was my father's cousin and had taken it into his head that I ought to follow the life of a soldier, and at his request and out of compliment to one of his ardent supporters, the President then tendered me the appointment as major in the regular Army; but, as I had then been subject to the orders of my superiors since 1861, I respectfully declined the honor and the office, and I am still glad of it. In both President and Senator I recognized greatness, but further knew that both were even then comfortably "full." Johnson was a U. S. senator from Tennessee both before and after he was President. While he grew to be a powerful man mentally, yet at the time of his marriage he was a poverty-stricken tailor at Greenville; his old sign, "A. Johnson, Tailor," there appeared, and he was proud of it, while our highest executive officer; his good wife started him on his way to learning and to prominence, yet through it all he always prided himself upon being a plebeian and upon having started in life as an humble mechanic. Long ago I read a speech of his, in reply to the taunt of some senatorial colleague that he was unworthy of consideration, for he was "only a mechanic," in which he admitted the charge and reminded the Senate that God Almighty himself was our first merchant tailor, and closed his self-vindication by calling attention to the fact that "the Son of Man was the son of a carpenter." While then in Washington, in the callow tenderness of blooming youth, I thought that half a

dozen of us young fellows were one night serenading the President and his Cabinet with a brass band; but now the impression is that some politicians were back of the scheme and really furnished both band and money for our night's sport. However this may have been, yet the speeches then made were all good; but the strongest, ablest, most vigorous of them all was that of the President himself. In the course of that speech Johnson returned his thanks to the beneficent Giver of all good for that "the members of Congress and the Executive were becoming knit closer together day by day." His judgment was wrong in that conclusion, as was later shown when the same Congress attempted to impeach him and oust him from office. Both personally and politically I was always glad that movement failed. The impeachment of the President at that time would have been almost as great a political blunder as that one afterward perpetrated by my own party in enfranchising the Negro.

Mrs. Johnson was an invalid and rarely seen by White House visitors, and the social functions of the high office fell upon the President's devoted daughter. While there I heard of this womanly reply returned by this Mrs. Patterson, and thought all the more of her for it: A delegation of ladies said she must take the lead of some swell society affair, but she modestly declined the honor, upon the ground that "we are plain people, from the mountains of Tennessee."

Within a few short months after bidding President Johnson good-bye, I landed at Gallatin, Missouri, and the next Sunday attended church services conducted by a good, pious, white-haired preacher named Cooper. In his sermon, to bring the matter down to the comprehension of his hearers, Brother Cooper compared the Father of us all sitting on His great white throne up above to the President sitting in his chair of state

in the White House at Washington. The comparison went. Maybe I looked grave, but I felt more like a yell, for in a flash it came to my mind just how our President appeared when last I saw him in that same White House, in well-worn slippers, shabby dressing-gown, and a trifle exhilarated! I readily gave credence to this story of Johnson's last election to the Senate: He was making one of his characteristic and powerful public campaign speeches in Tennessee when an admirer nudged an opponent in the ribs and significantly said: "There is life in the old man yet." To which the other quickly responded: "Yes, and there is hell in him, too." Notwithstanding his many defects, history will yet write Andrew Johnson down as one of the bravest and best of our American Presidents.

ULYSSES S. GRANT. In the heat of the campaign of 1868, I practiced on the people in many public addresses for Grant, and the only good thing I now recall about those early efforts is that some few of those who listened to my speeches are still alive! Then, too, I wore a red uniform cap and beat the bass drum in a brass band and joined other young enthusiasts in singing a half-forgotten campaign song about what a jolly time we would have in "turning Andy Johnson out and putting in Grant." In the Army and when he was our President, I saw much of Grant and met him once after his retirement. In all his public career I stood by, with, and under Grant (for to me no one could have been greater or better), with this one single exception: I made a political mistake in not supporting him for a third term in 1880, and was for Garfield.

Grant had the quickest eye, as well as the most rapid and accurate judgment, of anyone I have known. When the completion of the Rock Island Railroad was celebrated in September, 1871, as the Mayor of Gallatin I joined our West-

ern people and met the west-bound excursion train at Trenton. Grant was then in his first term and many distinguished guests were in the party as that first through train sped on its way to Leavenworth, Kansas. I happened to be in the General's car and was engaged in friendly talk with President and Mrs. Grant and Miss Nellie as our train approached the Dog Creek trestle up in Daviess County. Just then a pompous official came in the car and, politely addressing Grant, said: "Mr. President, this train is now approaching the longest single trestle between Chicago and Leavenworth and I should be glad to show and explain it to you." Just as if always ready, anxious, and willing to please, Grant accepted the kindness; the officer opened the car door and motioned the General to step on the platform for a full view, when the wily Grant motioned the other gentlemen to go first. Then Grant closed the door, took one quick glance at the situation as the train sped on, and then turned to me with his sly twinkle of the eye and simply said: "It ought to be filled." Many years afterward the railway company did construct a long, expensive "fill" at that very spot, and travelers now cross that creek on the "fill" which Grant's eye told him should have been constructed there in the beginning. Upon arrival at Leavenworth our party attended a banquet at the old Planters' House that night, presided over by Colonel D. R. Anthony, and President Grant became the guest of Senator Caldwell. Next morning we were driven over the city and the Government Reservation at Fort Leavenworth. I was assigned to a carriage containing U. S. Judges Mark W. Delahay and Henry W. Blodgett. The former was the most versatile talker in Kansas, and throughout the drive embellished his every sentence with learning, wisdom, wit, and eloquence; while the latter spoke rarely, mostly in monosyllables, but always to the exact point. That

afternoon we went to Atchison, and thence to the terminus of some railroad then being constructed westward, and there on the wide prairie, forty miles from town, Frank Lombard and his famous Chicago quartette again sang "Old Shady" for us. At another banquet, at the Otis House, Senator Samuel C. Pomeroy was toast-master that night. Our last stop was at St. Joseph, where their Exposition was in full blast, with Colonel Charles R. Jennison, of Kansas, presiding in the grand stand, and Bud Doble was in attendance with the then famous Goldsmith's Maid. As Grant passed through the crowd in his silent way, a gentleman pointed him out and said, "There goes President Grant," and to this a horsey native replied, "Grant hell! you can't fool me; that's Bud Doble; I seen him and his hoss yisterday." The two men then resembled.

RUTHERFORD B. HAYES. As an officer in the war, Governor of his State, and comrade of the G. A. R., I always liked Hayes, nor did I find any fault with his conduct and management of our public affairs as President; but I have never believed that he was either fairly or honestly entitled to this high office, and was sorry he accepted as final and conclusive the vote of the Electoral Commission. Indeed, I felt so sure that Mr. Justice Bradley would cast his vote the other way as a member of that commission that I wagered a box of cigars on the final result with my Democratic friend, Judge Joseph P. Grubb, of St. Joseph, Missouri—and lost! So, since 1877, commissions have been added to my list, among juries and courts, and all classed as uncertain.

JAMES ABRAM GARFIELD. I knew and liked Garfield and was so glad of his election that I journeyed down to Washington solely to see him inaugurated as President on March 4, 1881. Thereafter I watched his course with unusual interest; it did not appeal to me. With all his wondrous schol-

arship, long experience in public matters, great powers as a speaker and organizer, yet in that office he developed that trait which was once characterized by Chief Justice Sherwood, of this State, as "a pitiable and painful weakness in the dorsal region." So vanished another political day-dream; one added to the many, and the world moves on just the same.

CHESTER A. ARTHUR was the most polished, suave, and courtly gentleman that has occupied the Presidential chair in my day. While he was President, I once sat in the round room at the White House and heard and saw him as he in turn disposed of three several senators and the delegations accompanying each. He there displayed the rare faculty of hearing everything and saying nothing. When all were gone, in his own kind, good way, he turned to me and, after a warm greeting, asked what he could do for me. I answered, "Not a thing, Mr. President; I only called to pay my personal and political respects because you are my President and I like you." No urging upon his part tended to change this resolution. He proved a strong, able, efficient Executive; loved the good things of earth, his party, and his friends, and, I now think, should have had the office again in 1884.

GROVER CLEVELAND. My attention was first directed to this man by his unusually strong, clear, and sensible veto messages during his term of office as Mayor of Buffalo, N. Y. While he was Governor of that State, I kept my eye on him, for again he demonstrated the fact that he was big, brainy, and fearless. I was in the Chicago Convention of 1884, that first nominated him for President, but, being a Republican and a personal friend of Blaine, neither feared nor properly considered Cleveland's nomination. His election was a surprise. But when he first went into that office, as well as in

his second term, I saw him often and came to have for him the highest possible regard.

When first I met him at Washington, in 1886, I was a member of the law firm of Crittenden, McDougal & Stiles; and he and my senior were then politically at outs. In our talk I mentioned incidentally the newspaper rumor of his contemplated visit to Kansas City, and happened to say that I would here show him more attention and pay him more respectful honor than would my senior partner. Quick as a flash came this happy response: "Yes, I know you are a law partner of Governor Crittenden and a Republican; but no one could more appreciate your kindness than myself; the Governor and I will be better friends when we know each other better." At a distance, Cleveland then looked to me like some great, sleepy animal; but once right up against and talking with him, his face and eyes had a rarely attractive charm. After his marriage at the White House, I was a guest for a time at 1301 K Street, N. W., in Washington; his wife's niece attended the Franklin public school just across the corner, and it was no unusual sight for us to see Mrs. Cleveland in her carriage as she drove this little girl to and from that school. During his second term as President, I spent a Sunday afternoon with the Clevelands out at their summer home in the suburbs of the city, and the man then, as always, astonished me by his marvelous grasp of both men and measures. He was a hard, close worker, never once tried to fool himself, and his recreation was in hunting, fishing, and good red whisky; yet at all other seasons his public work was unceasing. A friend of his once made to me the point that Cleveland would go down in history as one of our greatest and best American Presidents. In answer to my question, "Why?" he said: "There are and will be three great public questions before this country—tariff,

currency, and civil service; the scholars of the world believe him right upon all these, and scholars write history." In 1887 he and his wife visited Kansas City. He then made speeches and laid the corner-stone of our Y. M. C. A. building, while Mrs. Cleveland, by her good sense, tactful bearing, and womanly beauty, won the hearts of our people. I spent the summers of 1890 and 1895 at Cobb's Island, off the Virginia coast; and Hog Island, in plain sight, was Cleveland's favorite shooting and fishing resort. When he and his party were reported lost for three days during his second term, they were all up in a friendly cove into the mainland near Hog Island, and were not lonesome!

While he was President the second time, I called upon him at Washington and urged Cleveland to promote my young friend Enoch Herbert Crowder from a captain to be a major and judge-advocate in the U. S. Army, on the ground that Crowder was then the best lawyer in the regular establishment. Crowder had been a Daviess-Grundy County, Missouri, boy; had his full share of field and staff duty; was of tremendous industry, a student, thinker, and worker, and I liked him. Cleveland was deeply touched by my representations concerning the young man and gave me the closest attention. I recollect that I closed my talk to him by saying: "But there is another thing, Mr. President, that Crowder would have me say if he were here prompting me, and it is my duty to you to say it anyway; the fact is, Crowder's father was an old soldier of the Republic and that both he and his son are Republicans today." The rugged President knew and understood this and at once brought his enormous fist down on his table with a whack and said: "By God, sir, I'll appoint him; he is worthy, and I want to strike a death-blow to politics in our Army anyway." So the President jumped Crowder over 842 other

officers, gave him the desired promotion, and in his many preferments since then, that young man has made good at all times and in all places. When Crowder is again promoted, as he soon will be, to the high office of Judge-Advocate General of the U. S. Army, and I retire from the law practice, I am promised a cozy corner in the War Department building down at Washington to smoke and read and doze all day long, during my visits, with none to molest or make afraid, and the credit for all this coming good runs back to Grover Cleveland.

During President Cleveland's second term I started to Chicago on June 30, 1894. On account of a then impending labor strike, our train was delayed the next day at Joliet, Illinois, for over twelve hours; but finally I reached the great city on the last train that went in, and was there bottled up ten days. From Joliet I wrote home as follows:

"JOLIET, July 1, 1894.

"'No life is perfect that has not been lived—youth in feeling, manhood in battle, old age in meditation.' All these in their order had been his; and now as he neared the closing scene—the time when his accounts with men and women and gods and things must be balanced—had he not time for 'meditation'? Not amid the trees and flowers and waters and mountains, the chirp of the cricket, hum of bees, perfume of rose and pink and honeysuckle and sweet-brier, known and loved when life was young; but in the hot, dry, dusty little city, crowded with anxious and worn and travel-stained fellow-beings, who are unable to move either east or west—the haunted face of discontented labor at every step, the spirit of dread unrest everywhere. Why? 'The stupidity of grasping, avaricious capital, the fear of so-called statesmen and journalists, the mistaken sentiment of discontented working-men, had unwittingly and unconsciously combined to stop the wheels of travel and commerce and might yet turn back to where they stopped, in sunny France one hundred and one years ago, the hands of the clock of human progress. God protect America! It now seemed unable to protect itself from these disintegrating forces at war with each other within its bor-

ders, each claiming the protection of its laws and flag. When or how the end would come could not be guessed, but the result must be disastrous alike to labor, capital, and country. If the mad craze were not soon stopped and patriotic reason again enthroned, then must come first a period of anarchy and later a reorganized and a stronger and better form of centralized government. Oh for the courageous patriotism of a Hamilton, a Washington, a Lincoln, the fearless sword of a Jackson or a Grant, to lead us back to paths of peace through the fires and unrest of this day!

"To be within sight of the promised land—almost within the lulling sound of the cooling waters of the inland sea—and yet unable to go thither, was a strong reminder of the unhappy and untimely fate of our old and cherished friend—Moses.

H. C. McD."

While a guest at the Auditorium Annex in Chicago during this strike, many unusual scenes were daily witnessed. In vain the President appealed to the Mayor of the city and Governor of the State, but lawlessness and anarchy held the great city and all within its borders in the grip of discontented labor, and unprovoked riots occurred every hour. Men, women, and even children were wild, the national Government was damned, along with everything that moved on wheels; the city was fired in many places every night, railroad cars were burned, public and private property destroyed, and such a lawless spirit of unrest prevailed as is seldom seen. Just in the nick of time, when no other constituted authority would take a stand for law and order and the best citizens of the city, along with its unwilling transients, were on the eve of despair, President Cleveland did the right and courageous thing in calling out the Federal troops. Had he done nothing else during his administration, that act should forever stamp him as one of our greatest and best public officers, for when the soldiers came marching on to the field, anarchy hid its hydra

head and the Chicago strike of 1894 was soon a nightmare of the past.

When the passions and prejudices of our time shall have passed away, the impartial historian will say that the highest type of our Democratic Presidents, with the possible exception of Andrew Jackson, was represented in the public acts of Grover Cleveland. Each of these two men had a backbone like a crowbar, with dauntless courage, mental grasp, and brains in abundance. By reason of his early environments and time, Cleveland was the more scholarly, and I know it is said that Jackson went to his grave in the firm belief that the earth was as flat as a pancake; yet to me his lusty and lofty patriotism stands out today as one of the beacon-lights on the hill-tops of our history, and my admiration for the man is unbounded. I was born at the close of the great campaign of 1844, my father was an ardent Whig, and I had to be named for the candidate of his party. It is possible that my high opinion of Jackson was somewhat colored in his favor by a story told me years ago by George W. De Camp, who, in 1845, was a Pennsylvania Democrat and a great admirer of "Old Hickory." On his home journey from New Orleans in the spring of that year, De Camp deflected his course and went to The Hermitage to visit the old lion, who was near his death. Jackson was in bed, but overheard the conversation between De Camp and the negro attendant, and in a firm voice said, "Invite the young man in." De Camp entered the sick-room and sat down before the old-fashioned open fire, when the old soldier called for his never-failing pipe to clear away the phlegm from his throat so that he could talk to his guest. The negro lighted the pipe from a live coal at the fire, from it took a few whiffs to start the tobacco burning, wiped off the stem with his fingers, and handed the pipe to his master.

Jackson smoked in silence until his throat and voice were clear, partially dressed his wasted form, and then for an hour talked more patriotism than De Camp had ever heard. But he said first: "And so you are a Pennsylvania Democrat? May God bless the Democracy of that great State, for they always stood by and loyally supported Andrew Jackson." President Polk had just been inaugurated and in the talk the young man expressed the fear that Polk might not prove equal to the occasion. But Jackson quieted this apprehension by saying: "I know James K. Polk well; he is a good, honest, sensible American statesman and will give us a good administration; the people made no mistake in electing him our President; nor would they have made a mistake had they then elected that stalwart American of all Americans, Henry Clay."

BENJAMIN HARRISON. My first personal acquaintance with General Harrison began at his home in Indianapolis, and I happened to be present then and heard him deliver his farewell address to his old regiment when it was mustered out of the United States service in the autumn of 1865. It was the speech of a courageous American soldier, patriot, and statesman, and from that day on to the closing scene I watched the wise course of this great man. Many young officers who had attained distinction in the war just closed were then restive under the paramount control of the civilian and the civil law, and no one knew it better than Harrison. So in this final talk he reminded his old "boys" that every issue for which he and they had entered upon the service of their country in the field was then decided by the force and effect of war, and decided in favor of the men who wore the blue. And in his earnest closing he said: "Standing once more upon the soil of Indiana as citizens of this State, I beg to remind you of this additional fact: that there is but one thing for you and for me to do,

and that is for each and every man to drop back into his old place as a citizen and for all to work together with the people of the East and the West, the North and the South, in upholding and upbuilding this great country which we have helped to save."

In 1874, many of our people cried aloud for more money, for the times were hard. One of our national parties saw relief in but one way, while some of our truest and ablest statesmen were wavering. Yielding to public clamor, the Congress passed an act to inflate the currency, and that bill was before our President for approval or rejection. So well-nigh universal was the cry for currency inflation that but two citizens of my then home county up in North Missouri opposed this bill. The one was a Virginia Democrat named D. Harfield Davis, of Gallatin, and the other was myself. Then it was that, in his quiet, thoughtful way, Benjamin Harrison slipped off alone to Bloomington, Indiana, and there made the clearest and best sound money speech I ever read. With his wondrous powers of condensation, great Grant took up that speech, interwove its substance into his veto message, and the country was saved from another curse.

During Harrison's presidential term a coterie of his political enemies had purposely misled him, and he had sent to the Senate for confirmation the name of an unworthy anti-administration Republican for postmaster of a Missouri city. To untangle this skein and set the President right, I went to Washington and called at the White House when the Executive was in a private conference with some foreign diplomats. So the old door-keeper, Charlie Loeffler, whom I had known for years, soon reported that no audience could be had with the President on that day, and advised me to return at nine the following morning. To this unholy hour I demurred, on the

ground that no one ever attended to business that early. But Loeffler said: "The President is an early riser; he fixed that hour and requests you to call to see him, and if in your place, I would do so." So I was on hand at the minute, and there sat Harrison in his private office, waiting for me. In the long, friendly talk which followed, with a tinge of sadness on his face that I never saw there before, Harrison said: "No man who has never filled this office can know or appreciate its vast responsibilities, and I often retire at night so tired of it all that I think if I could only return home and resume my law practice at Indianapolis, no man on earth would be so well satisfied." When my mission was explained later on, he concurred in the view that there was both good sense and good politics in the desired change, and gave me a penciled note to this effect to his Postmaster-General. This Cabinet office was then filled by the truly good John Wanamaker. When the President's note was presented, with my brief and courteous statement of the exact facts, on that morning, I was met with the haughty and indignant protest of this official against any change, mainly on the ground that he had recommended that appointment and did not want any change made. That this mere hired servant should so respond to one of his masters and sovereigns was more than one American citizen would tolerate, and with some degree of warmth came this, quick answer: "I stand here with the President's approval, representing the Republican party of Missouri. We do not intend that any office in that State shall be held by any man who is opposed to this administration; nor do we care a damn what you may or may not think in the premises. Get me the papers in this case." He was so astonished that, without another word he went out, got the papers, and handed them to me, and the matter was speedily closed to the complete satis-

faction of everyone, with the possible exception of the Postmaster-General.

No lawyer of that State ever said that he was one of their best lawyers; but all the members of that great bar, regardless of party, joined in the universal statement while he lived that "the best lawyer in Indiana is Ben Harrison."

At the bar, in the Senate, on the stump, and as President, I often saw and studied this man. The public looked upon him as cold, distant, dignified. He was thoughtful always, preoccupied with some difficult problem often, yet to me he was at all times the same careful, generous, courageous friend. My judgment of him was and is that he brought to the discharge of every public duty a warm heart and a wise head; and he was certainly the clearest-headed statesman, the most intellectual President of my time.

WILLIAM MCKINLEY. When first we met, we were both young soldiers in that which late in the war became the Department of West Virginia, and he was then a captain and I a private. Never personally close or intimate, yet we held many theories in common, and from war-times on up until the assassin's bullet closed his illustrious career, we kept tab on each other and many friendly letters passed between us.

During the Republican National Convention at Chicago, in 1888, we met on the street one morning, greeted, shook hands, and passed on; but I have always thought he never knew he had met a friend. The reason was apparent when the convention met two hours later. He had received some votes for Presidential nominee and a concerted effort was to be made that day to nominate him, and he knew it. He arose in his delegation before a vote was had and made the most honest as well as the manliest speech to which I ever listened in a convention. While I do not recall his language, yet I

do remember that he told the delegates in the most earnest and impressive manner, that he was a delegate to that convention instructed for and intending to loyally support to the end a statesman of highest rank (John Sherman), and that no friend of his could or would thereafter cast a single vote in his favor.

Eight years later I attended the St. Louis Convention, and no one was more highly gratified when McKinley was there nominated for President, in 1896. But only a few weeks afterward I was in attendance at the opposing convention in Chicago, and not only saw and heard their many public demonstrations, but listened to the great speech of William J. Bryan, which there resulted in his nomination; and as a speech that was one of the most powerful to which I ever listened.

Upon my return home from that Chicago convention, no one could have been more concerned for the future of the country, for it seemed to me that from all sections many of our most level-headed and conservative men were simply wild on the silver question. Up to that date McKinley had been making his national campaign turn on the tariff. So to set him right, as well as my party, I wrote McKinley a long letter and urged him to switch from tariff to finance, telling him, among many other things, that while parties made platforms, the people made the issues, and that they had settled upon the proposition, whether right or wrong, that finance was the only issue before the people in that campaign. While my stenographer was running off this letter, I went to luncheon, and there met a gentleman who had nominated McKinley three times for Congress and once for Governor of Ohio, and, upon being advised of the substance of my letter, he asked to see it, and to this I readily assented. So we two came to my office; he read and heartily concurred in all I had said, but asked

and was granted permission to add a line in his own handwriting. In that written postscript Judge King told McKinley that all I had said was true; that he, too, had been all over the West and knew the sentiment of all the people, and joined me in an earnest appeal for a change in the issue from tariff to finance. That change was made and the result is known.

During his administration much of my time was spent at Washington and I was often in consultation with the President. To me he was always the same smooth, thoughtful, gentle, tactful politician, and this trait of his character was never more impressed upon me than once in a call, not long after the "Maine" was blown up, I urged the appointment of a young neighbor and friend, whose family from early Colonial times in Virginia had always borne the same name and had been soldiers. With the deference which always distinguished the man, the President first assured me that it would always give him pleasure to adopt any suggestion of mine; but went on to give me a list of the names of officers and men who had lost their lives in the then pending Spanish-American War and the names of their surviving sons; he said these boys desired to follow in the footsteps of their fathers, and to prefer them was about the only poor recognition this Government could show the boys; and closed by submitting to me this question: "Now, my friend, put yourself in my place and yourself answer the question, What would you do under all these circumstances—prefer and appoint the sons of our dead heroes, or an outsider like your young friend?" He knew there could be but one answer. But that was McKinley's way.

By appointment I called on him one morning when this war was coming on. There was trouble for him in our Missouri camp, but his real friends here in the West believed

in the man and earnestly desired his renomination. He and I were to talk over the political status of this State and agree upon some plan respecting his future. But when I was ushered into his presence, he looked so worn and pale and wan that, taking in his condition at a glance, I said: "Major, you are a sick man, made so by the situation that confronts your high office; don't say or think anything of political conditions in the West; I go home tomorrow, and as soon as I can get there, some of your friends will be called into consultation and your interests will be looked after as they should be; we will arrange that matter there." McKinley, without even a smile, said: "You are very kind; do that which you think best and I shall be satisfied." That was all. But the result shows that his interests were not neglected.

The last time we met, I called in company with Colonel R. T. Van Horn, and a long, pleasant, friendly talk followed, in the course of which the Colonel told an appropriate story, over which we all laughed most heartily. That the point of that story was against one of the personal and political friends of the President did not trouble him for a moment.

THEODORE ROOSEVELT. This great man was and is so constructed mentally and physically that he is simply impelled by the law of his being to say and do things every hour and minute he is awake. Nearly always right, to my thinking, he occasionally said and did things that should have been omitted; but to the country at large he looms up like the Colossus he is, and I do not hope to see another man in that chair who can or will do as much for the good of all the people as did Theodore Roosevelt.

WILLIAM HOWARD TAFT. Knowing his father before him, and him as I do, nothing he has said or done up to this hour has either surprised or displeased me. But he has only

been in office a few months; the country, people, and party expect much of him, and I do not think either will be disappointed. Time alone will disclose all this. He starts out well and is almost sure to make good.

V.

A FEW OTHER STATESMEN I HAVE MET.

JAMES G. BLAINE, Maine. If there be an American over thirty years old who has not heard and read many good things about the life and achievements of this great statesman, then that American is alone—everybody else knows. As a member of Congress, as U. S. senator, as twice Secretary of State, as a worker, thinker, writer, talker, orator, from his entrance into public life in the troublous days of the Civil War down to the day of his death in 1893, he moulded and guided public thought, opinion, and action by sheer force of his tremendous personality and strong, clear, able statesmanship, as no other American of my time.

When first I knew him, his bright light was largely obscured by the lower House leader in the person of the great Thaddeus Stevens, of Pennsylvania. For gnarled and knotted old Thad I had a profound boyhood respect. Since his day no leader has ever been able to lash that body into a perfect frenzy of political excitement, nor so certainly dominate the lower branch of the Federal Congress. In that day, now far back, I used to go with Kellian V. Whaley, an old friend of

my father, to a famous gambling-house in Washington. There the choicest wines, cigars, and lunches were always served free to all comers, and there I often watched these two old leviathans, Stevens and Whaley, at some game of chance till midnight; then they invariably quit and went home. Colonel R. T. Van Horn, who was then a member of that Congress, told me that old Thad's last winning one night was a twenty-dollar bill, which he slipped into his vest-pocket. As he was going into the House next morning with his guest he saw an old charwoman in apparent need, and, without a word or glance, gave her this bill. His friend asked: "Do you know what you gave this woman?" Old Thad said he didn't; and was then reminded of his winnings at poker the night before, and that he had just given that sum away to charity. The "old commoner" only remarked: "It does beat hell how 'God moves in a mysterious way His wonders to perform.'" I always mentally resented the statement in "The Clansman" that old Thad's housekeeper dominated his public and private career, for, in my judgment, neither God nor man nor woman ever dominated Thaddeus Stevens in any way. So, in his day, both Blaine and Conkling were great, but Thad Stevens was greater.

When Blaine became Speaker of the House, on March 4, 1869, the deserved promotion wrought a wondrous, yet to me natural, change in his official conduct. As his party leader in Congress he had been ever alert, watchful, wary, sagacious, and no man struck quicker or more powerful blows than he; but as Speaker he was cautious, conservative, fair, and always held his country above his party. I know of no stronger or better illustration of the doctrine that place and power bring conservatism.

Those who have not read and studied the great speech

of Colonel Ingersoll in nominating Blaine for President in 1876, or the writings and speeches of "the Plumed Knight," still have before them treats of the highest order, for no man in his party ever had more fighting friends than Blaine, nor a greater number of earnest, enthusiastic supporters. He deserved to be and should have been President, and the one great regret of his life, as well as my own, was that he fell just outside the breastworks; but with his face to the enemy.

When, in 1876, his State sent him to the U. S. Senate, in public life Blaine again met his personal enemy, the great Conkling, of New York. The strained yet grave courtesy between these two peerless leaders was once described to me by Senator James T. Farley, of California. When a young man, this "Jim" Farley was a deputy sheriff in Daviess County, Missouri, at Gallatin, but he went off to the Pacific coast in an early day in search of fortune and fame; through a faro bank, poker, and the law he finally got both, and his party then sent him to the U. S. Senate. *En route* to and from the national capital, he often stopped at his old home in Gallatin and always made his headquarters at my office. Soon after his entrance into the Senate, Farley and I were sitting back in the lobby, talking "old Missouri," while Blaine and Senator Allen G. Thurman, of Ohio, were having a hot tilt in the Senate over some political matter. Like some of our latter-day senators, no one could sit on Blaine, or his party, with impunity, and his voice and lungs and thoughts were always in readiness. Thurman was a greatly beloved leader, with whom few cared to contest any question, but on that day he was not at his best, and knew it. The little row was over and the Senate adjourned. "The old Roman" was not satisfied, and asked: "Say, boys, how did I acquit myself?" Farley and his other associates said he had made a good fight; but Thurman shook

his strong gray locks and said: "Glad to hear it, boys; you see, I don't feel first class today and rather doubted myself; but just let that damned upstart tackle me some day when I'm sober, and I won't leave a grease-spot of him."

While Blaine was in the Senate, we met one day on Pennsylvania Avenue. In his quick way he asked: "Are you personally acquainted with A. and B. of your Congressional district?" I answered in the affirmative, and his next question was: "Which of these will make the better postmaster at ——?" I answered, "A." He said, "I thank you, sir," and passed on. But the next day A. was appointed and confirmed as postmaster at that town and a political fight that had there raged for over a year was settled.

In the early fall of 1881, the next day after the death of President Garfield, a letter came into my possession, written only four days prior to his assassination, by one stalwart to another, which to my mind unquestionably foreshadowed "the impending" crime of Guiteau. This letter was of such grave national concern that I at once carried it to Washington and laid it before Mr. Blaine, who was then Secretary of State and knew both parties. We sat together alone in his private office while he read it, and I can never forget the shudder which shook the man as he exclaimed: "My God! can it be possible that J. knew this awful deed was to be done?" Then apparently recollecting his own status in the party, and comprehending on the instant the effect which such a letter might have upon his future, Blaine asked: "Who else in the party at Washington knows of the contents of this letter?" I answered: "No one, sir; I brought it to *you* as the close personal and political friend and premier of Garfield." Then he said: "We must not let the sun go down tonight leaving me the sole recipient of this information at the capital; do you know

and have you confidence in Justice Miller, of the Supreme Court?" Upon my saying that I had known and confided in the Justice for years, two sworn copies of this letter were there made; Blaine at once sent a messenger with these copies to Justice Miller and another, and promised to lay the matter before the secret service officers that night. This was the only time I ever saw Mr. Blaine when he seemed the least nervous, but that letter so wrought upon his feelings that he begged me not to disclose to anyone there the object of my visit to the capital, and several times repeated that, in his judgment, my life would not be safe at Washington if the opposition either knew I carried such a letter on my person or knew its contents. With all his solicitude and interest, neither he nor anyone else in authority, at any time thereafter, ever expressed a word to me upon the subject matter of this letter. The incident then closed, as far as I ever knew. Maybe it is as well, for the parties who knew the facts are all gone now, excepting only myself.

When Blaine was defeated for the Presidency in 1884, my personal and political grief was beyond words, and I still regret that defeat. My affection for and admiration of the man for his many great qualities of head and heart, not less than his acquirements as an ardent, sagacious statesman and leader of his party, were well-nigh boundless. He had the happy faculty, possessed by no other of his day so far as I knew, of putting his arms about his friend and raising that friend up, however lowly the station, to his own lofty height.

JOHN S. CARLISLE, Clarksburg, West Virginia. From the time I was a small boy until his death at his old home some years ago, no man to whom I ever listened so carried me away a willing captive, or so charmed me by the music of his voice, and easy, eloquent, patriotic flow of language

in public speech, as did Carlisle. He was a native of Virginia, had filled every office up to member of Congress, and when the war came on, seemed to me to be aflame, inside and out, with patriotic zeal for the Union. He was the foremost man in the first meeting held by those who favored the Stars and Stripes and the Government of the Fathers at the now city of Clarksburg, on April 22, 1861. There his strong, earnest appeal to his old neighbors was most effective, and for over two hours this educated, talented man not only held his audience, but put red blood and patriotic iron into the systems of many who were then wavering between secession and the Union. So when the restored government of Virginia became established that year, John S. Carlisle was sent to the U. S. Senate. Notwithstanding the fact that the Senate was then composed of stalwart men, statesmen who both dared and did things for country and party, yet among them all he stood so high that he seemed at one time to be the almost unanimous choice of the people for the Vice-Presidency on the party ticket with Lincoln in 1864. In an apparently evil hour, however, he wildly threw all these chances away, by there opposing the bill creating the State of West Virginia. After his speech on that issue, which at the time was momentous to both the administration and the party which sent him to the Senate, he was a sort of political free lance for a time, and adhered first to one and then to the other of the two political parties; but he was always great. While at military headquarters in Clarksburg in 1863-4, we occupied the Turner mansion, for its owner was an officer in the Confederate Army, and Carlisle's home was in plain view and in the adjoining block. There I often met the Senator and knew every member of his family as well. To me he never had a fault, but was simply weak in his party affiliations. Like many a Virginia gentleman of his day, he

never knew what a dollar represented, neither thought nor cared about his personal finances, and to him his party ties were not of the kind that always bind.

In 1876 I had been through Canada, New England, and eastern cities and *en route* home stopped off for some days at my old home, Fairmont. While there Carlisle and I talked to the assembled people, or, to be accurate, I talked and he made a speech, for the campaign was on and politics seemed running at fever heat. I had not heard him since the war, and thought then that my admiration of the many good things he always said was attributable to mere boyish fancy. But, to my surprise, Carlisle had not spoken five minutes when I was all attention, absorbed, and literally hanging on his every word, gesture, tone. The truth is, that the effect of his oratory then was the same in all things as it had been when I was a boy. He not only entranced me, but everybody else. When he took up and quoted from the Declaration of Independence, Washington's farewell address, and the Constitution of the United States, and kept us all in the clouds at his sweet will, for how long I never knew, it occurred to me that no other man ever did or could reach the lofty height of patriotic eloquence then attained by John S. Carlisle. Down on the street corner, after the speaking was over, I met my Democratic cousin, Mrs. Maria Haymond, who at the age of eighty - two is still quicker and smarter than chained lightning, and in the talk told her of Carlisle's great speech. With that characteristic suspicion of a smile in her face, Mrs. Haymond remarked: "And so John is now making speeches for the Republican party? I am glad he is temporarily anchored, for he talks well; but, Henry, you are visiting Fairmont, and as our guest we can't ask you to do the actual work yourself; yet let me suggest that you go and tell the

managers of your party to take John down to the Monongahela River and drown him before sundown and while he is still in the faith; for the good Lord only knows what party he may be in by tomorrow morning."

CASSIUS MARCELLUS CLAY, Kentucky. In the National Forestry Congress held at Cincinnati, Ohio, in April, 1882, Clay represented his State, and, as a volunteer, I represented mine; we had connecting rooms and for ten days were much together. There we met Charles Foster, Edward F. Noyes, Ward Lamon, Commissioner of Agriculture Loring, and many others of national renown.

In our many long talks my friend always referred to his more distinguished kinsman as "Henry Clay," and to himself as "Clay." In his own esteem he was "the McNab of the McNabs." His ample white hair and full whiskers, piercing eyes, earnest talk, and rapid gestures, marked him as a learned, rare, unique, and interesting character. He was a captain in our war with Mexico and was for a short time a major-general in the Civil War; but the public service about which he loved most to talk, and I to listen, was his residence at St. Petersburg, in Russia, where he was our minister for about eight years, between 1861 to 1869. His description of the people of that country, their attributes, habits, etc., were simply fascinating. To him Russia was the greatest and best governed nation on earth. I had read and heard much of Siberia, the nihilists, etc., but when these were reverted to, he only answered that the strict enforcement of their penal laws was the only means of controlling that country, and justified the nobility. He once laid down this proposition: "Russia is the only country that has, and for century after century pursues, a fixed and inflexible governmental policy; for generations she has had her eye on Manchuria and will some day, God only

knows when, own, control, and govern all that territory." In the late Russo-Japanese War his theory and pet nation both received a black eye at the hands of the alert Japs, and Japan may possibly yet fully control there. But I am not prognosticating; that country is a long way off; no kindred of mine engaged in that war, nor are they interested in any way in the row, and anyway, the weather is too hot now to speculate on how or by whom Manchuria may be controlled in the years that yet shall be.

This "sage of Whitehall" graduated from Yale in 1832, and was later a lawyer, newspaper editor, soldier, diplomat, statesman; and withal was a close and great reader of good books, and a still better speaker, talker, and thinker. A volume of his public addresses was printed in 1848, and since the war he wrote and published a most interesting book of his memories.

After sundry other experiences in that line, in 1894, he married his ward. He was then eighty-four, she fifteen, and it was not long until the divorce courts freed the unequal couple, as everybody else anticipated. The press then had much to say of this marriage and divorce. but when last we met, the old man told me that he gave Dora his name to save her from her fool friends, and I believed him.

In politics, he was originally a Whig, then became a Republican and later a Democrat. But he was an abolitionist *per se*, and once edited a paper devoted to the freedom of the slaves, first at Lexington, Kentucky, until his office there was wrecked, then for a time at Cincinnati; yet, for all his zeal and greatness, his political allies viewed him as a disturbing element.

While he would fight a buzz-saw or a regiment in any conceivable way, yet in both offensive and defensive warfare his favorite weapon was the knife; and his demonstration

of just how to hold it, thrust, cut, twist, etc., was both interesting and instructive to the knife-fighter. What with his vast knowledge, wise head, and understanding heart, independent fortune, beautiful home, and unlimited capacity for entertaining his friends, his days might have been passed in peace and quiet; but his wild temper unfitted him for the high duties of true citizenship, as well as leadership, and from early manhood down to his death only a few years ago, his life was distorted into constant conflicts and without one American precedent, presents a series of feuds, fights, duels; and, in the language of his friend, he was "a stormy petrel in a stormy time."

SHERARD CLEMENS, Wheeling, West Virginia. This learned, clear-headed lawyer, wise statesman and genuine gentleman, born in my native State, was the lifelong friend of my father, and after filling other Federal and State offices, thrice represented our old district in the U. S. Congress, ending in 1861. He was the first public man in our country to keep on hand an alphabetical classified list of his constituents, so as to mail to each, according to his political influence, the current public literature of the day. While in Congress, in 1859, he fought a duel with O. Jennings Wise, of Richmond, Virginia, was thereby lamed for life in the hip, retired from public gaze at the commencement of our Civil War, and finally died in the city of St. Louis not long ago. So far as recalled, his duel with Wise was among the very last of such encounters in high life, and since then such wrangles among gentlemen are no longer settled "on the field of honor."

Under the direction of the National Committee, Clemens campaigned this State for the Democratic ticket in 1874 and again in 1876. As a public speaker he was able, pleasing, pungent, and forceful, and it is with pleasure I now recall the

fact that when he came to Gallatin in these campaigns, we entertained him at our home and I introduced him to his audiences. Although a staunch Republican, yet neither collar nor strings encumbered me, nor did party politics separate my friends and myself.

In 1874 close work and practice on the circuit were wearing on me, and I then had a long talk with Clemens as to the advisability of quitting the country and opening a law office in some large city. He listened kindly and patiently, and then, in his slow and deliberate way, said: "After campaigning all through your bailiwick, I know your practice and people and for more than a generation have known your family. You know it is said that 'God made the country and man made the town,' and that an old chap once gave a young fellow contemplating matrimony the terse advise, 'Don't.' I do not advise you, but my judgment is that you would better remain at Gallatin. In a large city you are liable to lose your identity and simply become one of the leaves in a vast forest."

THOMAS THEODORE CRITTENDEN, of Kansas City, Missouri, was born in Kentucky, in 1832, removed to Missouri in 1856, and died in this city on May 29, 1909. In the Civil War he was the lieutenant-colonel of the Missouri cavalry regiment commanded by Colonel John F. Philips; became the attorney-general of his adopted State in 1864; represented the Warrensburg district in the Congress of the United States for four years, ending in 1879; was for four years the Governor of Missouri; consul-general to the city of Mexico for four years, ending in 1897; and at the time of his death had long held the judicial position of Referee in Bankruptcy under the appointment of his lifelong friend, Judge Philips.

He read law under his distinguished uncle, John J. Crittenden, at Frankfort, in his native State; was there admitted

to the bar and married in 1855; was the head of the great law firm of Crittenden & Cockrell until the latter was sent to the United States Senate in 1875, and was for over four years, ending in 1889, a member of the law firm of Crittenden, McDougal & Stiles, at Kansas City, composed of himself, the writer hereof, and Judge Edward H. Stiles.

On November 13, 1900, the golden wedding of my good friend was celebrated, and in honor of Governor and Mrs. Crittenden I attended that function in full evening dress. In like "glad clothes" I always went to bar banquets here at home; and in other places East, having the time, I had so attended parties and balls, and there have been heard to raise my voice in song, and even dance a few measures with the belles; but never before at home. My profession or inclination had here driven me into the habits of a sort of studious animal; work and books were preferred to the pleasures of life; social matters did not interest me, and some way I always had previous engagements, or other excuse equally bad; but that time the rule was suspended, and, decked out in the garb of a gentleman of leisure, I not only went, but actually enjoyed it. After dainty refreshments were served, I called the assembled multitude to order and, without a word of previous warning, introduced our one "old man eloquent," in these words: "Among the many guests who by their presence here tonight honor themselves in honoring our distinguished host and hostess, there is one—a man wise of head, generous of heart, eloquent of tongue—who has perhaps known Governor and Mrs. Crittenden longer and better than any other guest. And I am sure that I but voice the sentiments of each and every person now under this hospitable roof in saying that all would be delighted to hear such remarks as this lifelong friend may

see fit to make upon this auspicious occasion. I refer to, now call upon, and present Judge John F. Philips."

As soon as he regained his breath, Judge Philips, as usual, responded in his happy and beautiful way, and, if possible, added to his fame in the prettiest speech of his life.

Full of years and honors, the Governor was called to his rest, and the bar of this city, upon the call of his old war-time commander, Judge Philips, here met at the U. S. Circuit Court rooms and there unanimously adopted and spread upon the records of the court a set of memorial resolutions prepared and signed by myself, Judge Stiles, and Judge Willard P. Hall, as the members of that committee. In then presenting that report, on July 10, 1909, I said:

"May it please your Honor:

"Commissioned by my fellow-members of your committee to prepare and present this memorial to the late Governor Crittenden, I here perform that sad duty; and now move that the memorial read be accepted, filed, and adopted, and later spread at length upon the records of this court."

"In thus paying my last tribute of respect to a character both rare and lofty, I may be permitted to lay an additional wreath upon the newly made grave of this kind-hearted man, accomplished gentleman, ripe scholar, gallant soldier, faithful patriot, and venerable lawyer.

"As the personal friend of Governor Crittenden for more than forty years, and as one of his law partners for a part of that time, I knew the man and his methods, personally, professionally, and closely. And now that he is mustered out of life and no longer shares in our trials or triumphs, without reserve or qualification this may be said of him: That on account of his intelligent interest in and absorption with public affairs, his work and standing as a lawyer have been underestimated by both his brethren at the bar and the public, for he was strong, able, fearless in his chosen profession.

"Yet to me, the crowning glory of his long life was always found in the virtue of that splendid courtesy and profound deference which he characteristically and consistently empha-

sized in his daily contact with all classes of his fellows, rich and poor, high and low, alike.

"Strikingly handsome of form and face, he was a conspicuous commander among soldiers; loving his kind, and a man of rarest mental and physical courage, he never turned his back on friend or foe; and to life's close was everywhere recognized as a prince among lawyers, a king among men and women."

Many other lawyer friends spoke in terms of highest praise of their dead friend, among them Judges Stiles, Hall, Scarritt, and William S. Cowherd; but the most beautiful, touching, and tender of them all were the closing words of his lifelong friend, associate and war comrade, Judge Philips, who in part said of their past:

"His Mentor and exemplar was that rugged commoner, broad-minded statesman, great lawyer, and sincere patriot, John J. Crittenden, in whose shadow small men might walk, under whose approving smile and inspiring example Tom Crittenden grew into a splendid manhood.

"The recollection of my friend recalls to me the poetry and best epic of my life. At old Center College we walked together over the campus, where the diamonds sparkled in the dew and the birds sang and wooed. We sat around the same student-table, where we toiled over our algebra, the logarithms, trigonometry, and the differential calculus; where we translated Virgil, Delphini, Tacitus, and Cicero de Officiis; Xenophon's Anabasis, Thucydides, and Demosthenes' Orations; and puzzled our brains over the text-books on natural and mental philosophy, logic, and the intricacies of international law. While we whetted to keen edge on each other our witticisms, there was no occasion for putting the foil on the rapier of sarcasm, as we never interchanged dangerous thrusts. We dedicated poems, such as they were, to the same imaginary goddesses, but we practiced epistolary rhetoric on our own 'angel in dimity.'

"Almost beneath the same rainbow we hung out our signs, as attorneys at law. When the darkening clouds of the impending civil strife began to thicken over the Western and Southern borders, we closed our law offices, doffed the garb of peace, and put on the habiliments of grim war. Side by side we marched to meet the foe; and in the deadly charge

our hearts beat as with one pulse. When the shades of night fell from the sky, hushing the uproar, we pillowed our heads in the saddle and stretched our weary limbs on the earth, side by side, beneath our blankets. Together we arose at the same alarm from the sentry, or at the same morning reveille. At the same army chest we ate our rations, laughed and jollied, and never reckoned the accounts.

"He had little taste for the tedium and required patience of the drill-ground, but what a splendid soldier he was! The only order he cared for was, 'Forward and at them!' Then, casting aside all prescribed tactics and maneuvers, he went in, leading but not directing the charge, prodigal of life, reckoning little of the danger; while every company guidon told where he was in the fray. I can yet see the fire in those marvelous eyes, and his face white with the rage of the encounter, as he rode up to salute and report.

"From all these associations came to us that feeling of attachment and confidence which through all the years, from boyhood to manhood and to old age, lost nothing of its intensity, a feeling which the fellow-collegian and old soldier only can fully understand.

"There was in the closing scene of his fruitful life a coincidence which, to my eye of faith, augured for him a bright resurrection morn. It was his habit to arise from his bed with the sun. On that beautiful May morning, just as the streakings of the rising sun began to gild the eastern horizon, his brave heart ceased to beat, and, in the rich foliage of fame, the last act of the drama of his life closed.

"So fades the summer cloud away,
So sinks the gale when storms are o'er;
So gently shuts the eye of day,
So dies a wave along the shore.'"

JEFFERSON DAVIS, Mississippi. One evening, about 1874, I was *en route* from Kansas City to St. Louis on what is now the Wabash Railroad, and, after the evening meal at R. & I. Junction, went into the smoking compartment of the Pullman for my after-dinner cigar. There sat all alone an elderly gentleman with close-cropped whitish hair and full whiskers, smoking in silence. No one else was there; I lighted my cigar and we soon fell into a pleasant and interesting conversation.

From his accent and talk I soon discovered that he was a Southern gentleman of the old school and had gone with his people into the Confederacy, while he in turn knew I had been on the other side. The subject uppermost in the mind of each turned upon the Civil War, then not long past, and, without the faintest trace of bitterness or regret upon the part of either, much of this was again gone over. The intimate knowledge shown by my companion of the history and achievements of the statesmen, soldiers, and publicists of recent years was limitless, and, with a skill, ability, and intimacy astonishing to me, he discussed them all. In all this his manner was most charming, his talk instructive as well as entertaining; I only knew that he was one of the best educated, cultivated, and most accomplished talkers I had ever met, and never once suspected his identity. After we had long talked and smoked, a gentleman appeared at the compartment curtain and, addressing my traveling friend, said: "Pardon me, Mr. President, but we think it is high time you were retiring." With a courteous, gracious smile my friend replied: "Excuse me a few minutes longer, Colonel; I am having an interesting talk with this young man, and just as soon as we find a stopping-place, I will join you." At that moment I first realized that for four hours I had been listening to and talking with the famous ex-President of the Confederacy, Jefferson Davis.

The "stopping-place" of which he spoke never came, but after a time good-nights were exchanged and each retired. The next morning, at the old Planters' House in St. Louis, my old friend General Beauregard duly presented me to "President Davis"; we breakfasted at the same table; there we had another delightful hour, and that was my last talk with the once high-priest of the lost cause.

ALEXANDER MONROE DOCKERY, Gallatin, Missouri, was

born, reared, and educated within this State, the only child of a distinguished Methodist divine. In his early manhood he practiced his profession, as a physician and surgeon, at Linneus and Chillicothe, until the spring of 1874, when he removed to his present location, and there became the cashier of a bank, of which Thomas B. Yates was the president. He was married to Miss Mary E. Bird, of Chillicothe, in 1869; was elected and served as Mayor of Gallatin in 1880, and has for many years past been one of the most prominent and active Masons in the State.

In 1882 he was first elected to the Congress of the United States, and with distinguished ability continued to serve all the people in the Gallatin district in that office for sixteen consecutive years.

In his first race for Congress, I was there the chairman of the Republican Congressional Committee. The political fight was hot and the interest great. During the campaign a member of my committee expressed to me at Gallatin, for distribution throughout the district, a large number of printed circulars containing an infamous attack upon Dockery, which, of course, I did not believe. With increasing anger, I read this attack in full. Then I placed one copy of the circular in a drawer of my desk, put another in my pocket, and deliberately burned up all other copies. With the copy in my pocket, I at once went over to Dockery's bank, gave the copy to Mr. Yates, who was the chairman of the Democratic Congressional Committee, and told him the whole story. Then I said: "Mr. Yates, I want to defeat Dr. Dockery on principle and because he is a Democrat; but while I am at the head of this committee no candidate of the opposition shall be here defeated on a false issue." Weeks afterward Yates told me that while he and Dockery were driving in a buggy over the

prairie from Kingston to Hamilton, after both had spoken to the people in that campaign, he gave Dockery the copy of that attack and told him the whole story as I had given it to him; that without a word Dockery listened to all he said and read every word of the bitter attack; but, turning to him after a long silence, he saw the tears rolling down Dockery's face! To me Dockery never once opened his lips on the subject from that day to this. But, from his many acts of kindness to me in all the long years intervening since that incident closed, I believe Dockery still gratefully bears it all in mind, although in absolute silence. He was never given to lavish entertainment, as are some statesmen, but throughout his lengthy congressional career, I was often professionally at the Nation's capital, and noticed that, however busy with public duties, Dr. Dockery and his good wife never failed to show me some special attention in a drive, dinner, theater party, or the like, and sometimes all of these.

In 1900, without opposition, his party nominated him for Governor of Missouri. He was elected and for four years held that high office. In all the public positions which he has filled with honor to himself and credit to the people, if any official was ever more efficient, or did more close, hard, earnest, intelligent work for the people he loved, that officer I never knew.

Against my repeated protest, Governor Dockery first appointed me as one of the managers of the *Colory* for the Feeble-Minded and Epileptic, at Marshall. I attended many meetings of that Board and was just getting warmed up in the work, when the Governor called me up over the long-distance telephone one day and blandly advised me that my resignation would be accepted. I said to him: "Thank God for that! you shall have it just as soon as I can dictate it to my stenog-

rapher." Then he said: "Hold on, Mack, I want to promote you; I am going to appoint you as a member of the Missouri World's Fair Commission." But I answered: "Now, Doctor, for Heaven's sake don't do that; you ought to appoint some man who is either young or rich or ambitious; I am neither, and don't want the place." In his politely emphatic way he said: "Well, I have your commission made out now and if you decline to serve, the responsibility will be yours." So, in the interest of both city and the Governor, I complied with his request, and served on the Commission, along with J. O. Allison, B. H. Bonfoey, M. T. Davis, N. H. Gentry, W. H. Marshall, F. J. Moss, L. F. Parker, and D. P. Stroup, for over a year. Among our many other duties, we attended the Pan-American Exposition at Buffalo, in New York; selected a site for the Missouri building at the great World's Fair in St. Louis; and were often in consultation with the Government Commission, headed by that prince among organizers, David R. Francis. My health being somewhat impaired, I spent the early part of 1902 in Colorado, Texas, and New Mexico, in recuperating. While down in the latter Territory, another letter came to me from the Governor, calling me home for the reason that he wished to make me the Republican member of the Kansas City Board of Election Commissioners. So I came home. I had a short talk with Governor Dockery, in which he said: "I have no demands or even requests to make, but do suggest that you will take the time to accept this office and see to it that Kansas City has fair and honest elections." For over three years, from August, 1902, I served the State in the new office and drew the salary with surprising regularity. Aside from election times, when the responsibility was great, the minority member of that board has but little to look after or think about except his pay. My Democratic associates

there were my former law partner, Frank P. Sebree, and Ben F. Paxton. Better men are not found; we had no discords or disputes, and the people reaped the reward of fair elections.

However, the new office did not lessen my esteem for my former associates, and I then wrote and explained existing conditions to the Missouri World's Fair Commission, and in closing it said:

"While I am, and for thirty years have been, personally fond of the Governor and stand ready to do for him almost any sort of favor at any time, yet I regretted, and always will regret, the necessity which impelled me to sever my official connection with the Missouri World's Fair Commission. I have lived a long time, and in many relations of a happy yet busy life have been associated with many kinds and classes of men; yet in all these years I have never met or been associated with nobler, manlier men, a more pleasant, generous, genial, and congenial body of gentlemen, than my late associates on that Commission. And wherever your several lots may be cast in the veiled future, whatsoever may be in store for yourselves or for me in the years that shall be, my blessing and my benediction shall go with each of you until the Master shall call me to that bourne whence 'no traveler returns.'"

While on the Election Board named, I also served as a member of the Kansas City World's Fair Commission and assisted in securing the appropriation for and erecting in the Model City on the World's Fair ground that far-famed building known as the Kansas City Casino. The other members were E. T. Allen, F. D. Crabbs, D. J. Dean, W. S. Dickey, J. H. Hawthorne, F. M. Howe, Franklin Hudson, J. C. McCoy, C. J. Schmeltzer, E. F. Swinney, A. A. Whipple, and Robert F. Winter. At the formal dedication of the Casino at the grounds in St. Louis in the early summer of 1904, at the request of the Commission, I made a short talk and said, among other things:

"My Friends:

"A story heard at some forgotten time and place along life's highway may with propriety be here recalled:

"A famous sculptor had completed his work—a statue of one of the great ones of earth, designed for and dedicated to the people.

"A vast concourse of his countrymen were present and participated in the ceremonies at the formal unveiling of his masterpiece.

"Orators, statesmen, and critics had spoken words of highest commendation and warmest praise of the marvelous result of his labors. When called upon for his response to all this, the gifted artist modestly, yet affectionately and proudly, placed his hand upon his statue and simply said: 'This is my speech.'

"As that artist by his rare skill and genius was enabled to and did create from a crude and meaningless block of marble a human form and face so perfect that it was at once the pride of as well as an honor to his country, so within the past forty years, by working with the same intelligence, energy, and perseverance which actuated and inspired the sculptor, have the men of Kansas City created from an inconsequential and straggling hamlet along the banks of the broad Missouri a splendid progressive city, with a present population of three hundred thousand of happy and prosperous people.

"'Tell it not in Gath; publish it not in the streets of Askelon;' but if and when called upon to prophesy privately to thy friend, then say thou unto him, that by reason of its geographical location, its environment, its commercial and industrial advantages, the manifest destiny of Kansas City is to increase in greatness as long as rivers flow out to the sea and old Ocean lifts his waves to the storm; aye,

"'Till the sun grows cold

And the stars are old,

And the leaves of the Judgment Book unfold.'

"Formally opening wide the doors of this Casino and dedicating it to public use—cordially inviting the world to become our guest; tendering the freedom of both city and building to all—the people of Kansas City desire its guests, present and prospective, to understand and appreciate this fact, that

while proud of our imperial State of Missouri, we are prouder still of the growth, development, and achievements of Kansas City, and have faith sublime in its future; yet, as the baby of the household is always dearest to the heart of the good mother, so, of all its cherished public possessions, Kansas City is today proudest of this beautiful building. It is the latest as well as the daintiest darling of all of the manifold blessings which have been lavishly showered upon our people through the energy and sagacity of our enterprising business men, as well as of those coming to us through the justice and beneficence, the kindness and the goodness of God and man.

"Authorized to speak and now speaking for the people of Kansas City, I can do no better than to follow the well-known Kansas City habit of doing things rather than saying them. Hence to the Governor of Missouri and to the several members of the Missouri World's Fair Commission I first return the grateful thanks of the people of Kansas City for their just and generous recognition of the rights of the second city of our State; and in conclusion point to that strong, growing, young metropolis at the mouth of the Kaw, and, with all the affectionate yet modest pride which characterized the great artist, simply add—'Kansas City is my speech.'"

Since his retirement from office in 1905, Governor Dockery has persistently refused to stand as a candidate for any high official position, though often urged to do so by those who best know and appreciate the man. He is still a powerful public speaker, clear writer, hard worker; and when not engaged in looking after Democratic politics, or the Methodist Church or Masonic affairs, is as busy as a snake-doctor in attending to the lesser matters of his neighbors and friends at Gallatin, for he is built that way and simply cannot remain idle.

Among the many close personal and political friends of his city, none stood nearer than Thomas J. Crain, who was laid to rest there only the other day. When Mrs. Crain died in 1905, the Governor and I were among her honorary pallbearers. At the urgent solicitation of the good old friend who

was thus left to struggle on his last few days alone, I then wrote, and published in the local papers of her city, this little tribute:

"Thirty-nine years ago I became a citizen of an inland Missouri town. Remote from railroads, it was then a quiet, peaceful place, yet prosperous. The rare force and character of the people there stamped them as the most moral, truthful, honest, God-fearing, and human-loving I had ever known. The population has several times doubled since that far-away day; costly and elegant schools, churches, residences, and business blocks have replaced those then familiar to me; but drifting years and the innumerable changes wrought by the resistless hand of Time have brought no change in the high class and character of the citizenship of the town. For years I lived among them, blessed always with their precept and example. Then came the removal to a wider, busier field; yet the hurry of the busy, bustling city has never for a day dimmed my high appreciation of the warm affection for those with whom I first cast my lot in Missouri.

"When I left there, two decades ago, I knew everybody in the town and surrounding country; but when I went back on last Sunday, I recognized on the streets only a comparative few of my many familiars of the old days. The frosts of years had touched them, as well as their old friend; they were no longer young, nor was I. But out in the cemetery I knew everybody; nearly all my friends of the long ago rest there now. A name upon a tomb revived memories of faces, forms, scenes, and incidents in the once happy, active, useful life of many and many a beloved friend who had slumbered for years in the grave. And the truth of the adage, 'The dead are very many, the living few,' appealed to me as never before.

"Among my first acquaintances of the town was a then newly married couple, whose simple, unaffected piety and love and practice of the right attracted me, and when, three years later, I took my bride to the town, the hearts and the home of this good couple were open to us, and from that day on, my wife and I were blessed with their friendship and encouragement. A happier couple, or more considerate and congenial, or better matched, no one ever saw. They thought and acted always upon the same lines, were genial and gentle,

tender and true, charitable and hospitable, devoted to each other, as well as to their kindred and friends; and as the quiet meadow brook, ever deepening and widening, flows on and on its winding way to the sea of Time, so the useful, unselfish lives of this noble couple flowed on and on in the same channel and way, out toward the great ocean of Eternity.

"In His infinite wisdom, the beneficent Giver of all good may have made a better husband and wife; somewhere in this wide world may have lived a man and woman who quietly accomplished more real good for neighbors and friends, and were at once a greater blessing, a sweeter benediction, to all with whom they came in contact; but such a man and wife I have never known.

"It is no reflection upon any one of the many clear-headed and kind-hearted women of this town to say that not one of them, in the past forty years, has done so much to raise up the bowed-down, to heal the broken-hearted, to uplift the poor, needy, and suffering of that community as did this good woman.

"When both were fairly beyond the allotted 'three score years and ten,' resting from the activities of their earlier life, but still doing good, the decree went forth that 'the silver cord be loosed,' and the one was taken, the other left. The death of one brought to the other the saddest human bereavement that can come to man.

"In common with hundreds of other old friends, I attended the funeral to pay my last tribute of respect to the memory of one of the noblest and best of women, and to mingle my tears of earnest, heart-felt grief with those of the stricken husband and sorrowing friends. With tender, loving hands we laid away in the cemetery on the hill the cold, dead, dumb form of the gentle wife; while selfish sorrow for our own personal loss was swallowed up and lost in deepest sympathy for the lonely and disconsolate husband. For her, all was light; for him, all darkness.

"The town of which I write is Gallatin; the husband and wife, Mr. and Mrs. Thomas J. Crain. H. C. McD."

JOHN JAMES INGALLS, Atchison, Kansas. In the political upheaval which retired Ingalls from the U. S. Senate, in 1891, after eighteen years of memorable public service as the clear-

est, ablest word-user and best public speaker Kansas ever sent to that distinguished body of American statesmen, I was *en route* home from Colorado, and when our train reached Topeka, learned that the Legislature by vote on that day had chosen an excellent citizen who wore long whiskers and bore the euphonious name of Peffer as the Populistic successor of Ingalls. As our train sped eastward over their wide prairies everyone seemed to know that the tug of war was coming to a speedy showdown, every coach was filled with enthusiastic People's Party men, and my sleeper even was loaded to the guards with them, long before the capital was in sight. One expectant Populist politician was rushing up and down in our Pullman; I was ostensibly reading a book, not saying a word, sitting there chewing the cud, and incidentally sizing up that crowd. That son of the soil at last called out in a loud voice, "Is there a Missourian on board?" Without looking up from the book, I raised my right hand. With two bottles of beer held by the necks in his left hand, this prohibitionist asked me, "Have you a corkscrew?" Still silent, with eyes glued upon the book, I produced that necessary traveling companion of every old-time Southern gentleman, and passed it to him amid the wild laughter of his friends. For the next hour or so the supply of this Teutonic beverage seemed inexhaustible, Peffer's adherents must have consumed gallons of it, and that corkscrew came back to me before we reached their destination as bright and free from tinge of rust as if it had passed through a German campaign. While they were in our car, I spoke but once, in answer to repeated invitations to join them: "No, I thank you; I never drink beer; my tippie is good old Bourbon whisky." When our train finally stopped at Topeka, the legislative vote had just been taken, the Rock Island platform was alive with wild-eyed, hatless lunatics, who were surging back and forth through the gusty mid-

winter rain and crying out: "Ingalls is defeated!" "The people are on top!" "Peffer is elected!" "Down with corporations and up with the farmer!" "Glory to God!" and the like. At that sight the gods might well have joined the heavens in weeping rainy tears, as well as the wind at his daily prayers that hour, for the lost reason of the people—good, but gone wrong. A majority finally came back into the fold all right, but for a long time Kansas politically wandered in outer darkness.

Along in the early '80s, Senator Ingalls went from his home up to Gallatin to consult with me about my New Orleans interview, then just printed in the *Kansas City Journal*, upon the political situation and conditions in our Southern States, and more especially upon the race question. After many weeks devoted to the study of these questions while down in the far South, I had expressed my personal views upon the situation with such vigor and clearness that, on the alert always for political ammunition, the Senator hoped I might give him some pointers. In the day we spent together, I gave him the full benefit of all the facts, conclusions, etc., in my possession; but cannot forget his eagerness and earnestness for light; nor his repeated emphasis of this proposition: "The black man presents today the great unsolved problem in world-wide politics." Ingalls is gone now, but he was right upon this question, as he generally was; and long after this generation has passed into the unknown, the race proposition will confront the people and will still be an unsolved problem. Politicians, statesmen, publicists may wrangle over it in the hereafter, but the solution is a long way off.

During the Frank James murder trial at Gallatin, in the summer of 1883, Ingalls and his fellow-townsmen, Noble L. Prentis, the clear writer and thinker whom all Kansans loved and honored, spent some days there at my office. Their wise

and witty stories at that visit would alone fill a volume. This one true tale "made a hit" with Ingalls, and occurred at Carrollton, Missouri, at the close of the Civil War: The Southern Methodists of that town erected a brand-new church and were careful to inscribe on its historical tablet the words, "M. E. Church (South) of Carrollton." The newly made freedmen of the vicinity, with that religious enthusiasm which always characterizes their race, also erected a new church there and unconsciously imitated their white brethren by placing a flaming and large tablet which was intended to designate their place of worship; but in their zeal the colored artist unhappily omitted the parentheses around the word "North," and when that historical tablet was erected it bore this legend: "African M. E. Church North of Christ"!

In the school geographies of, say, sixty years back, all that wide sweep of country now included in western Kansas and eastern Colorado was dotted and marked "The Great American Desert." Then it was the home and haunt of the Indian and buffalo. Indeed, in going through that very country over the Sante Fe Railroad soon after its completion, in company with a Mexican War veteran, he pointed out to me the places where, on their westward march to the Mexican War, they saw trees and grasses in 1846 for the last and first times; their last vegetation was then seen at Cow Creek, where Hutchinson, Kansas, now stands, and their next gladsome sight of it was across the Raton Pass and about Willow Springs in New Mexico; while the last Indian massacre in which I took any part, and the last herd of wild buffalo I ever saw, was out about Lakin, Kansas, in 1874. At that day "the wise men of the East" firmly believed western Kansas semi-arid and adapted only for buffalo pasturage and grazing-ground for the long-horned cattle of the plains. Judicious advertising and printers' ink may in a measure account for the wondrous transformation:

for the farms, school-houses, churches, telephones, and motor cars now seen there on every hand; but within my day in the West that once howling wilderness has changed to one of the most fertile and populous portions of our country. Men and women—strong, sturdy, fearless, Western pioneers—have made Kansas what it is today, filled it with prosperous, wide-awake, happy, and contented people, and towards making it free and great and rich no man within its borders did more than this same John James Ingalls.

The writings and speeches of Ingalls have been known to the studious for years. Whether his pen pictures were printed in books, magazines, or newspapers, his words of sense and sentiment were recognized at a glance, while his scholarly, polished, snappy epigrams will be quoted long after his fame as a Kansas senator has faded from the memory of men. Of all these, the emanation from his pen most widely known is his sonnet on "Opportunity." When his old friend and mine, Colonel James N. Burnes, of St. Joseph, Missouri, passed away in 1889, memorial addresses were not only delivered in the lower House of Congress, of which Burnes was then a member, but also in the Senate. Before the latter, Senator Ingalls delivered an address of rare power and pathos. The press severely criticised this effort at the time and claimed that he had plagiarized the dissertation of Massillon on "Immortality." While these two great minds might have run in the same channel, yet I could not believe that the Senator had taken his speech from Massillon, for he was alone always equal to any emergency. So, side by side, the two efforts were placed and then carefully studied for hours, and my conclusion then was that if Ingalls had unconsciously followed this precedent, then he was still entitled to greatest credit, for the reason that no other man could have taken up Massillon

and made the Burnes memorial so beautiful and good as had Senator Ingalls.

James H. Lane went to Kansas Territory as an Indiana Democrat with the evident intent to represent the national policies of President Pierce and oppose the Free State policies of the Emigrant Aid Societies of New England. On June 27, 1855, he was the chairman of the Lawrence Democratic Convention and is said to have written its resolutions. Their Territorial "Declaration of Independence" was an affirmation of their ability to manage their own affairs; they then requested all others *to let Kansas alone*, and opposed all "illegal voting from any quarter." There had been some friction between the anti- and pro-slavery parties prior to this date, but no open conflict; and all the border war between the Free State men, on the one hand, and the Pro-slavery Missourians, on the other, occurred after this Convention. From the fact that Aid Companies had been sending to that Territory men, arms, and money to there make a free State, and the well-known and prominent part theretofore taken by their chairman, as the late Democratic Lieutenant-Governor and congressman from Indiana, it was assumed that the resolutions adopted contemplated a direct slap in the face to New England men and methods and were not intended to apply to Missourians. But with the keen foresight of an experienced and adroit politician, Lane very soon saw the trend of public sentiment, quickly changed front, early espoused the cause and easily became the leader of the Free State forces; he stood on the picket-line shouting, "Free homes for free men!" louder and stronger than his fellows, and the proverbial zeal of the apostate was never better illustrated. When Kansas became a State in 1861, Lane was a strong Republican and then was made one of its first U. S. senators, for his political work was unceasing and his ambition boundless. Listening to his somewhat florid, but

always earnest, magnetic, and fervid oratory in that high tribunal, as I often did, it was not difficult to find the source of wondrous power over his people and party, for the "grim chief" always led. His death by his own hand at Leavenworth, in July, 1866, left his party and the State practically without a great national leader until Ingalls became seated as U. S. senator, on March 4, 1873.

Unlike the older States, the pioneers who settle any new country tender high premiums for the wisdom, push, energy, and mental capacity of the ambitious young man. When Ingalls located in the Territory in 1858, all were commoners in Kansas; the soil was virgin; they there had no inherited statesmanship; no one could claim that he was entitled to any public position on account of prestige of ancestry, for every comer stood upon an equal footing—brains, energy, and foresight won out. By virtue of his commanding position and unlimited power, Lane had been a worshiped or feared, beloved or hated leader. The position of Ingalls as a leader at once became unique, scholarly, intellectual, and so continued until his death on August 16, 1900; but his leadership always had behind it wisdom and learning; his brain, tongue, and pen always laid down and enforced the thoughts and theories of the trained, scholarly, forceful, intellectual athlete. On occasions Ingalls was sarcastic, even vitriolic; he never was a politician, but from the day he landed in Kansas until the closing scene, by sheer force of his vast learning and intellectual power as scholar, speaker, word-painter, he wielded a rapier as sharp and keen as a Damascus blade, maintained his proud position as the foremost citizen of the State, and was always the same alert, kind-hearted, level-headed gentleman.

For many years questions of local politics have neither concerned nor even amused me; but in national affairs I occa-

sionally fear the country will go to "the demnition bowwows" unless I make a few talks. I confess that in the campaign of 1896 I made some speeches on the money question which found their way into newspapers, and one of the last autograph letters I ever had from Ingalls urged me to print these efforts in pamphlet form and mail him a copy.

From the press accounts of the first election of Ingalls as the successor of Samuel C. Pomeroy in the Senate, from memory I now recall these incidents: In the legislative joint session, a scene of the wildest confusion followed Senator York's dramatic exposé of Pomeroy; nominations were made, votes called, motions made, and everything was in an uproar. But one man that ever lived in Kansas could have poured oil on the troubled waters and restored order—and Jim Lane was dead. When the final vote was being taken, one legislator from the short-grass country was heard to say: "We were all running wild, stampeded like a herd of Texas steers; our sole object was to defeat the briber, most of our fellows were voting for one 'Jingles,' or Ingalls,' or somebody I didn't know, and when my name was at last reached, I followed suit; my vote was counted for Ingalls, who won; but what name I gave, or who the hell I voted for, I don't know today, and the only thing I am certain about is that I didn't vote for Pomeroy." Tall, straight, picturesque, slender, stately, when it was all over, this mental athlete coolly buttoned his coat about him and placidly said: "While surprised and gratified, my one consolation is that I came from my home on a pass and the gross sum of money which my entire campaign cost me was the thirty-five cents I paid for my luncheon today down the street at a restaurant."

The last time I recollect to have met Senator Ingalls was at Washington, in 1898, when he and his old-time Kansas

friend, Judge Johnston, with James Lane Allen and myself, were strolling down Pennsylvania Avenue. Directly opposite Hancock's famous thirst emporium, known for seventy years as "The Old Curiosity Shop," one of the party suggested that we all go over there and take a social nip; but in his courtly way Ingalls declined. Then I inquired: "Did you never drink, Senator?" His answer was: "Oh, yes, sir; when first I went to Kansas Territory I drank a great deal of whisky; it was the only recreation I had."

The people of Kansas have of late further honored that fair State in perpetuating the memory of its foremost representative, by placing in the Hall of Fame at the Nation's capital a magnificent marble statue of John James Ingalls.

WILLIAM S. MORGAN, Marion County, West Virginia. In my boyhood days back in Marion County with no little pride I often listened to the talks of four men who were then friends and neighbors of our family, and who in turn represented our old district in the Congress of the United States. They were William S. Morgan, along in the decade commencing in 1830; Colonel Thomas S. Haymond, elected in 1840; Doctor Zedekiah Kidwell, from 1853 to 1857; and Benjamin F. Martin, after I left there, from 1876 to 1881—all Marion County men, strong, vigorous, and able.

Mr. Morgan then lived near the village of Rivesville, where my father was for a short time a merchant, along about 1850, and at his store this venerable-looking and wise man made his headquarters. He was even then white of hair, tall, and slender in person, of unusual natural dignity, and, what was then of still greater consequence to me, he loved to talk to children and had been a member of Congress! We had heard of God and the President and senators, but to actually hear the words of a real, live ex-member of Congress was a

glorious treat! Morgan's family ran back to early Colonial days, and that was a fact to be proud of in that country and time. He was not primarily an educated man, but by close observation and study had become of exceptionally rare mental endowments and seemed never so happy as when imparting his rich stores of wisdom to the young. He lived beloved and esteemed by all until after the Civil War. Aside from his vast powers of statement, reason, and logic as a statesman, he became a national character in the scientific world as a painter of water-colors and in his favorite study of botany and natural history.

THOMAS S. HAYMOND is distinctly and pleasantly recalled as a loud, florid talker, but withal a careful and efficient public officer in both State and national affairs. He went South in our war, never could tolerate the new-fangled policies of the rising generation, and died at Richmond, Virginia, in 1869.

ZEDEKIAH KIDWELL was one of the most popular men of his day and a political manager of national repute. For four years he demonstrated the fact that as speaker, writer, thinker, worker, he was surpassed by no member of the national Congress. Until his death in 1872, he was always powerful in clear, logical argument and no citizen of my old home county had either more or better fighting friends.

BENJAMIN F. MARTIN was born on a farm near my father's in 1828, and in private life, as well as in Congress, his chief claim to loving distinction was his courtly, polished, suave way of performing every duty imposed upon him by either friend or foe. He couldn't help being a gentleman, for he was born that way; and yet he was as strong as he was good.

MASON SUMMERS PETERS, Argentine, Kansas. When first we met, this man was buying live stock through my country

for a wealthy man named Mosier. He then lived in Clinton County, Missouri, and this was at Gallatin, away back in the early spring of 1867. We were of the same age; his cheeks were rosy, his face ruddy, and a small, silky boyish moustache ornamented his upper lip, while his hair was brown and abundant. He looked and acted like a gentleman, and I then suspected, and later knew, that the blood of my own kind of people coursed through his veins—sometimes hot and fiery, but generally cool. He may not be as handsome now as he was then, but he knows a lot more; for his hair is mostly gone, and, as the darkey said, the time he now saves in combing his head he loses in washing his face, while his whitish full whiskers evidence the steady march of over forty-two years. While he was busy in '67 his employer got on a protracted drunk and lost a thousand dollars or so in horse-racing and other kindred amusements. Mosier's good old father came to Gallatin, took in his son's condition and wisely called for an accounting. But young Mosier had lost the money, couldn't account or pay over, happened to charge their young employee with having embezzled the funds, and had him arrested. No one there believed the defendant guilty, and to my own knowledge two of the citizens of Gallatin then stood by him—Major S. P. Cox and myself. The law required two sureties; the Major was rich and I poor, but this gave him the two sureties, and the young man didn't go to jail. The facts all leaked out before the hearing and our friend was promptly discharged, but what became of his accuser I never knew. Soon after this, in 1870, our friend was elected county clerk of Clinton, and the only complaint concerning his official action at Plattsburg was that, while a "bred in the bone" Democrat, he would insist on helping distressed Union soldiers as well as his own kind. His term ended, he came to Kansas City, engaged in the live stock commission

business, and has since both made and lost fortunes. But one of the many things I have always honored and respected him for was, that when fortune changed and he became rich, while the good Major grew poor, Peters kept Major Cox employed at a good salary for years, out in Kansas and Colorado, buying cattle. In 1896 his people sent him as their representative to the U. S. Congress, and with conspicuous fidelity he there served and won the personal friendship and even affection of the peerless speaker Tom Reed. During his Congressional career I was much at the Nation's capital. Whether officers work or play down there, the people soon find out, and I have yet to find the city that sizes a man up so quickly or so accurately as does Washington. So it came about that, despite his politics, by his rapid, tireless, ceaseless energy, long before his term closed no man in the Kansas delegation had accomplished so much for his people, his State, and the Nation as my old friend. While all this pleased and gratified me, for I had watched his growth and strength, yet I was never surprised at it, for I knew the mettle in the man.

FRANCIS H. PIERPONT, Fairmont, West Virginia, was born in the same year (1814) as my father; together they were enthusiastic young Whigs, but at the outbreak of the war in 1861 both were pronounced Union men and from that time on until life closed, both affiliated with the Republican party. Late in life he spelled the name "Pierpont," but history has it written in the old way, "Pierpoint," and I now want to so write it down, but, out of deference to him, here spell the name the new way. From the days of my childhood I knew him. He became a lawyer, a politician, an effective and powerful public speaker, and a fearless, sagacious leader among the men and stirring times of his day. Through all his active and long life he retained the unaffected piety of his childhood, and before the war was for eighteen years the head and front of the

Sunday-school of his church in Fairmont, either as teacher or superintendent.

On a fly-leaf of my copy of Colonel Theodore F. Lang's interesting book, "Loyal West Virginia," I wrote this little historical note years ago:

"In the autumn of 1860, Abraham Lincoln was elected President of the United States, and inaugurated at Washington on March 4, 1861. Beginning with South Carolina, on December 20, 1860, many of the slave-holding States seceded from the Union.

"The Virginia State Convention at Richmond convened February 13, 1861, and adopted an ordinance of secession on April 17, 1861, which was ratified by the voters of that State at an election held May 23, 1861. I well recall this election at Farmington, when and where I was present with my father, who then voted against that ordinance; but the secessionists carried the election by a majority of 96,750 out of a total vote of 161,108—the men west of the mountains largely voting against secession.

"The government of the Confederate States of America had been established; its troops fired on Fort Sumter, in South Carolina, on April 12, 1861, and this act brought on the great War of 1861 to 1865.

"Union meetings had been already held at Clarksburg and other points, and on May 13, 1861, many Union delegates met, on call, at Washington Hall, in Wheeling, and passed resolutions in favor of the Union cause.

"On May 27, 1861, the Union forces first came into Virginia, and on June 3, 1861, under command of Colonel Benjamin F. Kelley, fought the first real battle of the Civil War at Philippi.

"On June 11, 1861, the Union Convention again convened at Wheeling, and, on the twentieth of that month, elected Francis H. Pierpont, of my county, as the loyal Governor of Virginia, restored. On July 1, 1861, that Convention elected two United States senators, and these, with three delegates in Congress, took their seats at Washington at the session of Congress called by President Lincoln, July 4, 1861, their commissions dating from May 23, 1861."

That Congressional delegation was composed of Waitman

T. Willey, of Morgantown, and John S. Carlisle, of Clarksburg, U. S. senators; and Jacob B. Blair, of Parkersburg, Kellian V. Whaley, of Point Pleasant, and William Guy Brown, of Kingwood, as members of the lower House of Congress, and they so remained until the new State was formed.

From Colonial days until West Virginia was proclaimed a State in the Federal Union, the people who there lived west of the Blue Ridge had agitated the question and prayed for a separation from the Old Dominion. They claimed that under both Colonial and State governments all public improvements were made and State taxes expended east of the mountains, and that, with the single exception of Joseph Johnson, of Bridgeport, in Harrison County (the uncle of Waldo P. Johnson, once a U. S. senator from Missouri), no Governor of that State had ever been chosen from Western Virginia. So the Civil War was the occasion rather than the cause of the separation. The people of the old commonwealth may never become reconciled to this change, and I recall now the power and bitterness in the voice and appearance of ex-Governor Henry A. Wise when, in a public speech at Alexandria, Virginia, just after the close of the war, he referred to the change and there characterized West Virginia as "the bastard offspring of a political rape"! I was the only hearer of that speech who then lived in the new State, and shall never again feel so small as when the fighting old Governor uttered the sentence quoted.

Although justly called "The Father of West Virginia," yet in fact Pierpont never was the Governor of that State. Arthur I. Boreman was the first Governor of West Virginia, and he was elected when the new State was formed in June, 1863.

With prophetic vision, Pierpont early comprehended the

long and bitter struggle which followed 1861. On May 23, the day the voters of that State by their ballots decided that Virginia should secede, without voting, Pierpont left his Fairmont home and attended a conference of other loyalists, at Wheeling. Someone asked why he did not remain at home and vote, and to the query he made this memorable reply: "Loyal Virginians, the time for voting is past; the time for bullets is here." Pierpont and those who stood with him at once again called their delegate convention at Wheeling, under the banner "Loyal Virginia now or never," for June 11, and by a unanimous vote that convention on June 20, 1861, made him Governor of the restored government of Virginia, for this reason: Many influential members there argued that Virginia then had a State government at Richmond; that loyalists west of the mountains could not procure the consent of the legislature of that State to form another State government; that such consent was absolutely necessary and must be had; and that the Government at Washington could not recognize a State as proposed "because it was not after the mode prescribed by the Constitution of the United States." But stalwart, courageous Frank Pierpont alone insisted that they were all wrong. He then gave them his famous *plan* of action, which in substance was: That only a part of Virginia, and its legislature claimed to be out of the Federal Union; that the acts and doings of that faction were in plain violation of the Constitution and laws of both State and Nation; that the votes and acts of the people west of the mountains did not depend upon those living east of the mountains; that Virginia, as a State, was all right as it stood, but that the loyal element must control its government. His plan won; the restored government of Virginia became a fixed fact; the Federal Government and the world recognized its power; it was duly represented in the halls of Congress, sent its Union soldiers to the

front, and it is not strange to note the fact now that nearly two years afterward, in his opinion on the proposed admission of West Virginia as a separate State on December 31, 1862, President Lincoln in substance followed and expressed the same views upon the facts and on the legal questions involved as Pierpont had theretofore laid down.

As the Governor of Virginia, Francis H. Pierpont faithfully served the people of his native State from 1861 to 1868. First the seat of government was at Wheeling, until the formation of the new State in 1863; then at Alexandria, Virginia; and after the fall of Richmond, at the executive mansion in the old capital city.

In his earnest, vigorous way he returned his thanks to the Convention of 1861 for the honor conferred by his election as Governor, and when a personal and political friend then told Pierpont that he was the first man in history to return thanks to those who had put a rope around his neck, the war Governor uttered a great truth in replying: "Success is never convicted of treason."

When my own company was mustered into the United States service on Wheeling Island in 1861, Governor Pierpont paid us two signal honors in personally calling upon the "boys" from his old home county, most of whom had known him from their earliest recollection and sometimes attended his Sunday-school, and in making to us a speech of unusual power and ability. To this hour I recall that earnest, patriotic, yet fatherly speech, and will never forget how his voice rang out like a bugle as he closed with the old Cromwellian injunction, "Trust in God and keep your powder dry."

Because of the turbulent times in which it became a State, West Virginia is often and properly designated as "The Child of the Storm," and for the result no one is entitled to higher credit than the forceful, determined, patriotic Frank Pierpont.

He has the credit too for suggesting the motto for the new State, "*Montani semper liberi*"—"Mountaineers are always free."

At the reunion of Maulsby's Battery, held on the site of Prickett's old fort, at the town of Catawba, on the Monongahela River, in Marion County, in September, 1888, the good old war Governor and I spoke from the same platform. The old-time fire and energy shone from his patriarchal face and his voice had lost none of its charm, as he again told that vast audience the story of the trials and triumphs of the people west of the mountains in the days of the war.

The last fighting in the war in our old county is known in history as "the Jones raid." The Confederate General William E. Jones, in command of a large force of cavalry, after a stiff fight, entered and took possession of Fairmont on April 29, 1863. As Pierpont was then war Governor of Virginia and an ardent and influential supporter of the Lincoln administration at Washington, the Confederates sought his home there, carried his rare and valuable library out into the public street and then burned every volume he had.

When Governor Pierpont died not long ago, I prepared a sketch of his life and public services, which then appeared in the *Kansas City Journal* and later in his home paper, the *Fairmont West Virginian*.

In loving gratitude to the memory of Governor Pierpont, the State of West Virginia lately caused a beautiful marble statue of their war Governor to be set up in Statuary Hall in the Nation's capital, where I saw it only the other day, after this imperfect sketch was in type. This statue is to be unveiled and formally presented by the State to the Nation early in next year—1910.

THOMAS BRACKETT REED, Maine There are only a few peculiarities in the public and private life of the big, brainy

Speaker of the lower House of Congress, beloved by all who knew him well, and affectionately referred to as "Tom Reed," not in the prints or known to the people.

It has long been a social crime to overstimulate at Washington in the daytime, and many high official positions have been there forever lost by a violation of this rule. So when on public duty there during the day, Tom lived as simply as a priest or nun, ate like a vegetarian and was as temperate as a Kansas prohibitionist; but after dark, upon proper occasion, he drank straight brandy by the tumblerful, much like Justice Miller, of the Supreme Court. Both were big, mentally and physically, and could stand such indulgence. The greatest, best, and safest of all the "Reed Rules," however, was: "Never take a drink till after dark."

He and I were alike fond of General Logan; those who were close to "Black Jack" always admired him, and one of his highest attributes was his love for and loyalty to his friends. I once told Reed an amusing incident in Logan's personal experience out at Topeka, Kansas, as the story thereof was related to me by our other mutual friend, George R. Peck. After a hearty laugh over the story, in his deep, rich voice, Reed said: "I like John A. Logan, because he is so damned human." Beneath his apparent frivolity, however, and always the servant of his powerful will, ran the deep strong stream of Reed's profound wisdom and high statesmanship. I have heard Presidents, senators, and other dignitaries talk to and advise with him upon public questions, and it was always apparent that each realized he was talking with his intellectual superior.

While chairman of the judiciary committee of the House, Jenkins of Michigan once said: "Personally Tom is so big that he towers over all; but I am not for him for our Executive, because I know he would be President and Cabinet and

both Houses of Congress, and I am not so damn sure he wouldn't also try to be the Supreme Court."

Before Reed became Speaker, and while he was a member of Congress, I spent some days at his home in Portland, where everybody spoke in highest praise of Tom Reed as lawyer, man, and statesman, and from Maine came on to Washington. In our long talk I then referred to the esteem in which he was held at home, and asked him this (to me) ever-present question: "How can you get your consent to come down here term after term simply to be one member of this damned bear garden, when you could remain at home, be your own master, and in your chosen profession make five times more money than your salary?" His answer gave me the key to his public career in these words: "I 'll tell you, Mc Dougal: I come down here term after term mainly because there are always a lot of damned fellows in my district who say I shall not come." Many others must make the like sacrifice for the same reason; but the love of neither fight nor people ever carried me so far. Indeed, this subject now recalls an incident which occurred in my office here about twenty years ago: A delegation headed by Colonel Thomas B. Bullene waited upon me, with pledges of ample campaign funds and assurances of success, and tendered me the nomination for Congress. At the close of their several talks, I said: "When a boy I spent four years in an earnest, patriotic, and somewhat dangerous effort to **save** this country; through the efforts of myself and nearly three million others who were engaged in the same business, this country was then saved; now the duty devolves upon you, as representing the others, to keep it saved for humanity, and if you don't do it, the country may go to hell semiannually so far as I am concerned, for I am through, and therefore decline." So the only question in life since the war has been how **not** to do it; how to be out and keep out of the limelight.

But, under our system of government, someone must shoulder and carry the burden, and as long as such men as Reed, of Maine, consent to do the work, no matter from what motive, this country may congratulate itself, for it is and will be in the keeping of safe, sane, sensible patriots.

JERRY SIMPSON, Kansas. This native of Nova Scotia had all the experiences and passed through all the stages of human life. About my own age, he never had or followed any rule or regulation in thought, work, study, speaking, or anything else; but just the same he arrived. The world knew it, and for years he led the forces of a once powerful political party in the West—the Populists. To arouse the followers of his people to the highest pitch, and confuse and scatter his opponents, Jerry assumed a crudity to which he was by nature a stranger; yet, by the policy pursued during his Congressional career of many terms, he drew to himself the attention of world-wide thinkers and the warm affection of those who came in personal contact with him. Many of those who never saw or knew the man spoke of him in derision as “Sockless Socrates” or as “the sockless statesman of Medicine Lodge,” and of all Americans he was least understood. From the Nation’s capital at Washington to the plains of New Mexico, however, we ate, drank, walked, and talked together many and many a time, and now that he is gone, it may be said of him that, as I knew him, he was in all places and under all circumstances a quietly but well groomed, honorable, consistent, considerate gentleman.

Jerry and Mason S. Peters were in the lower House of Congress together, became inseparable companions, and together often strolled into my law office for an hour’s talk. The world does not know that this soldier, sailor, philosopher, citizen, and statesman was one of the bright, noble, brave, brainy men of his time; and was as strong, reliable, and loyal

as the North Star, yet this and more is true. Thomas Brackett Reed, while he was Speaker and Jerry a member of the U. S. Congress, once said of him to me: "There is the one man in this House whose tongue I fear." At home as he always was in wit, repartee, humor, retort, and logic, yet no one ever knew him in the heat of debate to wound or cause sorrow to a single fellow-man.

Jerry was not college bred, not yet would the graduate call him a scholar. Few of the university graduates of Europe or America, however, knew as much as he. Blessed with a rarely retentive memory, he read much, thought more, and never forgot anything. So the history, literature, religion, poetry, and music of the wide world became his; and among the many, no one has yet been known to me who could and did discuss all these with either more accurate information or in a more interesting, entertaining, or instructive manner. Then, too, he was a living, breathing, walking, and talking encyclopedia of the marvelously curious in history and fiction, and in any field of learning, of ancient or modern times, seemed at home along paths that were strange, new and unknown to the average citizen. All these, with his ready, hearty, wholesome ways, endeared the man to all who knew him closely; and without a single exception, all these felt a deep personal loss when death closed his career in the autumn of 1905.

ALEXANDER H. STEPHENS, Georgia. After the war and while he represented his district in Congress at Washington, I often met and enjoyed talking with the distinguished Vice-President of the defunct Confederacy. In more ways than one he was to me the most gifted man and the readiest writer in all the South, wise, just, generous. His public speeches, books, and doings are known of all; but the impressions he made upon me were: that his temper was always even, sweet, and gentle; his voice as low and soft and musical as a woman's.

His abundant iron-gray hair was covered by a semi-military hat of soft texture, and his hands were like bird claws, yet always open; but when he came down the aisle to speak, which was not often, his fellow-members always crowded about his wheel-chair to catch his every word. Brains and learning and wisdom and patriotism were his; and the Constitution, laws, and flag of his restored country seemed the one grand passion of his closing years.

WILLIAM JOEL STONE, Missouri. As a country lawyer, member of the lower House of Congress, Governor of Missouri, United States senator, public speaker, politician, statesman, and leader of men, I have known and studied this gifted native of Kentucky for many years, without being able to fix his exact status in the future history of our country.

As a looker-on, I attended the sessions of the great Democratic National Convention at Chicago in 1896. There I first observed the power and influence of this man over both the men and measures of his party. Bryan's "crown of gold" speech was great; but Senator Stone, Governor Altgeld, and Senator Tillman were far and away the three leaders who then held that great body of men and swayed them as one would a tiny wand. Stone has ever since exercised that power when and as he wished in the councils of his party.

In securing the Democratic National Convention of 1900 at Kansas City, a large body of Western Democrats appeared before their National Committee at Washington, and I was selected to go along with and assist them, because of my familiarity with national affairs. Senator Stone was the chairman of our delegation and no point ever escaped him. One evening, at his direction, Moses C. Wetmore, Seth Cobb, and myself were sent through the rain in a carriage from the Raleigh to the Gordon Hotel to secure the vote of one man—

and got it. But, on account of the long drive and the rain, Colonel Wetmore was taken violently ill, and Stone stayed up with and waited on him all night long. No heartless man would do a thing like that. To the work, sagacity, and management of Stone, more than all else, is due the credit of securing that Convention.

After the National Convention was over, the bills all paid, and everybody happy, the management gave a Convention banquet up at the Coates House and Stone was our guest of honor. All might have gone smoothly, but for some unknown reason I was called upon by the toastmaster to respond to some sentiment—which I didn't do. But in lieu thereof I talked of our trip down to Washington, the benefits derived by the city, etc., and then purposely referred to myself as the only Republican who went with the delegation. As anticipated, hands went up and two other men announced that they, too, had worked for the city as Republicans. This was answered by saying that I had not known, nor even suspected, that they were members of my party, and that from their actions all along the line I had the right to and did assume that these two gentlemen were Democrats! Then, as nearly as now recalled, I said: "I know little and care less what others may think about your party, Mr. Toastmaster; but my own judgment has been and is that about the organization of the great Democratic party there is somewhere concealed that immortal spark which, for want of a better name, man calls the divine, for the reason that in my day that party has violated every law of God and man and committed every crime known to the calendar and still lives! And now, Mr. Toastmaster, if I were a Democrat—which, thank God! I am not—from this night forward I should work without ceasing with two Democratic objects in view: first, to keep in the United State Senate, so long as he may live and that party remains in the ascendancy in

Missouri, that grand, old, honest, sturdy Confederate, Francis M. Cockrell; and second, until that party should nominate for the Presidency of the United States that other stalwart Missouri Democrat who is tonight our guest of honor, William Joel Stone."

The whirligig of politics has made many revolutions since that night. My good friend Cockrell has been succeeded in the U. S. Senate by another good friend in the person of Major William Warner, of this city, and the ex-Senator is now serving his country, by the grace of a Republican President, as a member of the National Inter-State Commerce Commission, while Stone is again a U. S. senator and has not yet been nominated by his party for President. Maybe he never will be; but to me he remains a great power in his party and is one of the wonders of his country. He does everything earnestly and faithfully, plays both politics and poker to win, and up to date has won at both. What will the harvest be? *Dios sabe.*

WILLIAM WARNER, Kansas City, Missouri. This soldier, lawyer, orator, patriot, statesman, has been a citizen of Kansas City since 1865; is known, respected, and beloved at home and abroad; has filled many other public offices, from mayor of this city to Commander-in-chief of the G. A. R., and was elected as the Republican Missouri senator in the Congress of the United States in 1905.

He is a native of Wisconsin, and in the Civil War, amid the rattle of musketry and the roar of cannon, won for himself the proud title of major. Whatever he has been or may be to all others, yet he will always be affectionately called "Major Warner" by Kansas Cityans.

In the court-room and on his feet, before judge, jury, or public audience, few Americans are so tactful, ready, good-

natured, or powerful, for in all these situations he is at home and at his best.

We first met as delegates in the State Republican Convention at Jefferson City in 1870, and from that day to this have been much together. The interesting and pleasant incidents in his busy life during the past forty years would fill a volume, but the curious must be referred to his public record, with the reminder that there is a world of difference between a record and a prospectus. Soon after Major Warner was made a U. S. senator, I delivered the address in presenting his portrait, painted by my other old friend, John C. Merine, to the Public Library of Kansas City, and the Senator's response was one of the most touching and beautiful of his life.

WAITMAN T. WILLEY, Morgantown, West Virginia. When this man was in the zenith of his fame as a U. S. senator of the restored government of Virginia, and later of the new State, my learned and deeply religious Grandfather Boggess more than once told me the story of the birth, youth, and manhood of "Wait" Willey. While the Senator was still a baby, death claimed his mother, and after the body was lowered, a venerable preacher, who had conducted the funeral services, standing at the head of her grave, took the baby boy in his arms and, with tears streaming down his face, fervently said: "May God Almighty protect and ever bless this infant." And in reciting the incident Grandfather, who was present and heard the preacher, always added: "If an earnest prayer was ever answered and granted, then that prayer was, for from his birth to this day God has surely both blessed and protected our grand and great representative in the United States Senate." The fact that I had known him from boyhood led me to watch with unusual care the personal and political movements of this man as a senator, and especially

while I was in Washington just after the Civil War. He was tall, spare, smooth-shaven, with a rapid, springy step, and no senator of his day was more watchful or vigilant on committees or more effective in his many public speeches while devoting his attention to all public affairs, and more especially to every question which might relate to the now State of West Virginia

When he and my grandfather were younger, as a boy I often listened to their grave and thoughtful discussions, but my particular delight was to hear them talk upon the early settlement, settlers, old-timers, and development of their immediate country. If there was a person, either high or low, living within or on the waters of the Monongahela that both did not know all about, I never knew it.

In the times of the war the Senator's elder brother, William J. Willey, went Southward, and at Lee's surrender, in 1865, was in command of a Virginia regiment in the Confederate Army. Colonel Willey was a military man even before the war, and had his store and many houses at Farmington, which was then my father's post-office, and there I knew all the family rather closely for my years. When the Union forces under General McClellan occupied Farmington late in May, 1861, they raised the old Stars and Stripes over Colonel Willey's home, for it was the best and biggest in town. The owner was an officer in the Confederate Army, and there that flag floated, to the delight of Unionists, for months. The father of the Colonel and the Senator was an old-time, rich, aristocratic Virginia planter, made his home at the house of his eldest boy, and was intensely Southern. Like the ancient King of Israel, Uncle Billy Willey "was old and stricken in years," and towards the autumn of 1861 first realized that his days were numbered. So he wired the Senator at Washington to come at once to Farmington, and, like the good and dutiful son he

was, Waitman took the first train and soon stood in the presence of his dying father. In a failing voice, but with the fires of the Southland still glowing in his eyes, the old man said: "Wait, you know I own two plantations; that I have made my last will, in which I devised to your elder brother William my plantation up on the hill here near Farmington, in Marion County, and to yourself my plantation down near you in Monongahela County; you know, too, that I am and have always been a Southern man; I hope the Lincoln government at Washington will go down in defeat, and that the Confederacy will win and be established as our Government; I love the Stars and Bars and hate the Stars and Stripes; the old flag floats over this house; the Yankee soldiers will not lower and remove it as I want them to; now, Wait, you are in public life at the so-called capital down at Washington, and have the power to have that hated flag hauled down any day; Wait, you must here and now make up your mind, as I have mine, either you have this flag taken down now, or I'll take down that Monongahela plantation" The old man died happy; his will was not changed.

One moonlight night last summer I was sitting on the broad piazza of the Saratoga Hotel over at Excelsior Springs, only thirty-three miles from here, and engaged in a pleasant talk with a gentleman who was also a guest. He was tall, slender, erect, with good teeth, abundant hair and mustache, which were always carefully brushed, and a most interesting conversationalist. Someway I happened to mention a contractor on the Baltimore and Ohio Railroad, when I was a boy, who in buying timber for the road in my country had an appliance that to me seemed a miraculous sort of device, but by which he could accurately determine the height of a tree as well as the amount of lumber it would produce, and that this

gentleman's name was Henry L. Hunt. He drew me on until I had told him all about my own people, my country, the neighbors and friends of my childhood, the marriage in 1851 of this contractor with Miss Sarah, the second daughter of Colonel Willey, etc., etc.; and then greatly surprised me by saying. "This is a rare and unusual occurrence, but the truth is that I am the same Henry L. Hunt of whom you have spoken; after that road was completed, I was was for a time its supervisor, went from Virginia to Kansas Territory in the fall of 1854, and am now over eighty-six years of age." In our daily walks for the next few days, Hunt gave me many of his personal experiences since last we met, fifty-six years before, and from his travels and rich store of information on nearly every conceivable subject kept me deeply interested all the time. If there was was a person or thing about old Marion County not mentioned and discussed, the omission was clearly traceable to want of time. In his wanderings over the world he often met his wife's uncle while Senator Willey was at Washington in the '60s, and in his declining days watched over old Confederate Colonel Willey; from each of these two brothers he had the story of the talk at Farmington when "Uncle Billy" Willey lay dying; and, being a New Yorker by birth, Hunt was a great favorite of the distinguished senator from Virginia, and later from West Virginia.

VII.

SOLDIER FRIENDS.

WILLIAM T. SHERMAN, *The Army*. Through his works, campaigns, and books, the world knows the General's record from tide-water to timber-line and neither words nor time will here be devoted to any of these. But for years after the war we were occasionally thrown together at Washington and elsewhere, and to his shining example I owe my present capacity to attend and "make a hand" at several banquets or dinners in a given evening and then retire in good order; for he always made it a point to eat a little and drink a little everywhere and then go to bed early and sober—comparatively.

After his retirement from the head of the Army, and in 1884, we were delegates from Missouri to the National Encampment of the G. A. R., at Minneapolis in Minnesota. Neither knew nor cared for the many details of the order, and the result was that the "boys" furnished a carriage and detailed me to look after General Sherman. So for about ten days, in that city, on Lake Minnetonka and at St. Paul, the General, Miss Rachel Sherman, Mrs. McDougal, and myself, were together most of the time.

One day at the encampment, pending a row between General Charles Grosvenor, of Ohio, and the Dakota delegation, over some resolution of theirs, the General turned to me and said: "Mack, this thing has grown monotonous, let us go down to camp and call upon our Missouri boys." The suggestion came as a command, and together we drove to camp, only to find that our Missouri forces were marching out. But in a twinkling the news spread throughout the grounds, "General Sherman is here," and in less time than it takes to

write it, the vast amphitheater was filled with people, all clamorous for a speech from the old hero. In charge of the post commandant, we climbed the spiral stairway of the grand stand and the General was presented. Panting like a lizard, he could only say: "Your stairway has cut my wind; I can't talk now; my friend McDougal will entertain you till I get my breath." So the Lincoln volunteer was "drafted" on the spot and had to say something. Then Sherman spoke to them, as only he could, for twenty or thirty minutes, and closed in a wild shout that drowned the roar of the Falls of St. Anthony. As we started to leave the stand, the music struck up "Marching through Georgia." In full uniform, I had just gotten to the center of the stand when the band reached the chorus, and on the inspiration of the moment I swung my military cap and motioned that audience of over fifty thousand men and women to rise and join me in that wondrous chorus. I led the solo; the people in front, all standing, triumphant and glorious, joined in the chorus, and, to complete the dramatic situation, General Sherman stepped to my side and joined in like a boy, just as if that song were not in his honor!

That evening General Washburn was to give a reception to Sherman at his palatial home and the General and I drove from camp direct to his home. Once there, the host tried to put Sherman at once at the head of the receiving line; but the veteran said: "No, no; Mack and I have just driven up from camp; our boots are still muddy and I must brush up a little before meeting your people." Adjoining rooms were assigned us up stairs, and I see the General now as he came into my room, drying his face and hands, and again hear him inquire: "Say, McDougal, do you know what kind of a liver our friend Washburn is?" I said no, but judging from that mansion, he ought to live well, and inquired why he wanted to

know. He answered: "Well, the truth is, that I am as dry as a fish and want a little nip mighty bad." As soon as we got down stairs, Washburn placed the General at the head of the receiving line, along with General John A. Logan, Lucius W. Fairchild, and many others, while I fell in behind the line and told the story of Sherman's soldier thirst to General Negley, of Pennsylvania, who was among Washburn's many guests and knew just how the house was supplied. In his quaint German way, Negley simply said: "Watch me; I'll fix him." Noting Sherman's buoyancy, our hostess soon said to Negley and myself: "How happy General Sherman is in again greeting his old comrades in arms and the people of our city." "On the contrary, madam, the General is as mad as hell right now; he is dry and wants a good drink and wants it bad and quick," replied Negley. Turning to me, with an unforgotten emphasis, Mrs. Washburn said: "Mr. McDougal, please get the General out of that line as soon as practicable; take him up to your room, and on the dresser there will be found an abundant supply of something which I have no doubt he *needs* and you *want*." The rest was easy. The General's only comment, as he smacked his lips, was: "Lord, but that's good whisky!"

General Sherman's confidence and faith in Grant and his admiration for the military and civil genius of the man were always at the forefront and he loved to think and talk of Grant. Next came Philip H. Sheridan, who was then at the head of the Army. Personally I have always thought that in their order Grant, Sherman, and Sheridan were the three really great leaders and strategists of our war, for the Union. Of the three civilians who became major-generals in the Civil War, Sherman seemed to accord the highest military honors to John A. Logan, Francis P. Blair, and D. M. Crocker, of Iowa. The latter died early; but once with great glee Sherman told me

this amusing story concerning Crocker's personal experience while in command of our forces at Memphis, Tennessee: He was there rigidly enforcing orders against all movements of cotton, when a Hebraic firm engaged in that business sought to reach him and influence a change. He thereupon sent this characteristic telegraphic message to the Secretary of War at Washington: "Please relieve me of this command at once; I am offered two hundred thousand dollars in gold to raise the blockade on cotton, and that is damned near my price. CROCKER."

General Sherman was a military man above all else and on one occasion his talk turned on the battle of New Orleans. The treaty of peace between Great Britain and this Government was signed at Ghent on December 24, 1814, and in ignorance of this, or it may be awaiting official notification, General Jackson fought this battle on January 8, 1815. We had both been over the ground and knew from reading history and personal knowledge these historic facts: That prior to the battle, the pirate Lafitte, with from three to five hundred men in his command, was located at Barrataria, near the mouth of the Mississippi, and had refused the offices and \$30,000 in gold tendered him by the British, but finally agreed with Jackson that he and his men should participate in that battle upon the express agreement that Lafitte and his men should be fully pardoned for all their offences against the law, and the Negro slaves with him freed; that in Lafitte's command were a number of Negro slaves, then lawfully owned by persons living along the Gulf coast; that in this battle Lafitte and his men held the river front and there rendered valuable services to the American cause; that from the date of that victory there had always lived, south of Canal Street, at New Orleans, a colony of free blacks, who were still known as "the Lafitte niggers," all spoke the French, and were regarded as "aris-

toocracy" among the Negroes of the South. But the two facts neither of us knew were: How or when or by whom these pirates were pardoned and these slaves were freed. After Sherman's death in 1891, I learned that at the earnest request of General Jackson, coupled with the unanimous recommendation of the Louisiana Legislature, these pirates were fully pardoned by President Madison by his proclamation of February 6, 1815; while in his royal way Jackson by proclamation then assumed the right to free "the Lafitte niggers." He had previously there suspended the writ of *habeas corpus* and proclaimed and enforced military law as the Commander-in-chief of the New Orleans District, and whether he had lawful or constitutional warrant for his acts was immaterial to him; he had and exercised the *power*, and that always ended the question with Jackson. And in passing it may be noted that "by virtue of the power in me [him] vested as Commander-in-chief of the Army and Navy," Lincoln later did the same thing in and by the Emancipation Proclamation, effective January 1, 1863.

At the San Francisco National Encampment of the G. A. R. in 1886, General Sherman, as the guest of honor, rode in an open carriage at the head of the staff in the great parade. Among the many aides-de-camp on horseback were General John A. Logan and myself, and we were in the saddle for over eight hours. Finally the Commanded-in-chief gave the order, "Head of column to the right," and the procession filed out into Market Street, and with the staff, together with Sherman, we were lined up on the sidewalk there to review the "boys." How many were in line I don't recollect now, but we had sixty-three bands and drum-corps and the procession seemed endless. Knowing that the General had a holy hate of the air which commemorated his great march to the sea, unless it bubbled up in a natural and easy sort of way, Logan and I,

in a spirit of sheer cussedness, selected an alert-looking young fellow who didn't know Sherman from a goat, sent him down around the corner, and gravely instructed him to present to every band-master as the bands came along the compliments of General Sherman and say that the General was on the reviewing-stand just up on Market Street, loved the old war-song, and would esteem it a personal compliment if this particular band as it swung around that corner would strike up "Marching through Georgia." No scheme ever worked better. As they rounded that corner every one of the sixty-three bands, in a whole-souled, hearty way, played "Marching through Georgia" from there on past our stand and far up the street. The dear old unsuspecting General at first thought it just happened so; but by the time a dozen or so of them had passed, all working overtime on his pet aversion, he began to suspect some design and was furious. Many of the "boys" recognized the grim chief and broke ranks to go up and shake his hand; but with eyes flashing fire, arms folded across his breast, head uncovered, the General stood in his carriage, in vain urged them to go back into ranks and remember that they were still soldiers, and sternly refused to shake the hand of anyone. The air was blue about that carriage for a time, and then there was silence—the General's choice vocabulary and fancy cuss-words were not equal to the occasion! Nearly dying to scream with laughter, Logan and I tried to look virtuous, guileless, and dignified, and succeeded so well that the General never suspected either. Well toward the tail end of the parade a respectable-looking veteran persisted in his earnest efforts to shake the General's hand. No amount of either persuasion or profanity availed, and with arms still tightly folded, the General at last said: "I suppose you are another of the damned boys that served in my command?" The veteran answered: "Unfortunately, General, I served in the Eastern

Army, and never clapped eyes on you until right now." Anger, disgust, and the music were all forgotten, the General's face beamed with pleasure, and his good right hand extended as he said: "Shake, my good man, shake; you are the first old soldier I've struck since coming to the Pacific Coast that didn't say he marched to the sea with me."

General Sherman had opinions and theories of his own upon every public question, and these he stated and maintained with unusual clearness, strength, and ability. No one could consider his unfortunate controversy with Secretary of War Edwin M. Stanton without reaching the conclusion that the General was right. Then, I recall now the vigor he threw into his theory at the war's close that the American slaves should first be educated at the expense of that Government which had held them and their ancestors in bondage from earliest times, and then, and not before, we should grant them the right to vote; nor how he finally persuaded his distinguished brother, John Sherman, of Ohio, to then see that great question his way. In addition to this, he then advocated the immediate recognition of every seceded State, and such other acts of conciliation as would have brought the young men of the South into the Republican party. That Henry Wilson, Benjamin Wade, and others of their way of thinking mapped out and the party leaders shaped up a different policy was no fault of William T. Sherman.

The last long talk I had with the General was an afternoon spent with him at his Garrison Avenue home in St. Louis not long before he left that city. No one that I have known was his equal in interesting reminiscences of a long and eventful life; and few excelled him in accurate knowledge of the current history, literature, and philosophy of his time. Indeed, he always reminded me of great Emerson's graphic characteri-

zation of greater Shakespeare, in that he "was a full man who loved to talk."

JOSEPH B. COGHLAN, *The Navy*. This hero of the deep was born just the day before I was, retired from the Navy as a rear admiral on account of the age limit, and suddenly died in New York, on December 5, 1908. In his boyhood he entered the service of his country on the water, and I on land; he stuck to his text and came out with high honors; I switched to the law; but in all the years we were friends and I don't recall the day when I was not both fond and proud of Joe Coghlan.

A captain in the U. S. Navy then, and in command of the good ship "Raleigh" under Admiral George Dewey, Coghlan participated in the battle and capture of the city of Manila, P. I., in 1898. He told me that for eight days prior to this naval engagement Dewey called to his flagship every naval officer in his squadron and together these officers studied the official maps, charts, and plans of Manila Bay and daily conferred as to the best mode of attacking the Spanish position; all this was by them finally agreed upon and the plan of attack was upon the joint judgment of all these officers; but the honor of the first shot there fired must rest upon the direct command of Captain Coghlan, of the "Raleigh."

Not long after the Manila affair, Captain and Mrs. Coghlan were our guests, as they often were, at our home here in Kansas City. In driving them out to the house, I offered to give them any kind of a time they desired; if they craved newspaper notoriety, I proposed to have the Captain interviewed by every paper in town; if society, then the house and grounds should be filled with people; but if a quiet, homelike time were desired, then they might roll upon the green grass at will. Both said: "For Heaven's sake, let us have a quiet, restful visit," and they had it.

Before coming westward and at a private dinner in his honor in New York, Captain Coghlan, in response to the many felicitous talks, had repeated his famous "Hoch! der Kaiser!" and while its effect was to play the wild with him later, yet Mrs. Coghlan was proud of his elocution, as well she might have been, and urged him, as we all did, to repeat that recitation at breakfast and then at luncheon; but Joe steadily refused to do so. The Captain explained to me that in his New York response he fully intended to give his hearers "Dot Dewey man will git you if you don't look oudt," but when he came to that part of his speech he couldn't recall a word of it. After pawing the air for a time in his vain efforts to recall "Dot Dewey man," his mind accidentally stumbled on the other and he repeated it instead of the poem intended. But I knew my man and proceeded in a most deliberate way to get him in the proper frame of mind for the repetition of this poem. Then I quietly filled the parlors with sympathizing neighbors and at the right moment called on Captain Joe for his speech and "Hoch! der Kaiser!" No one there will ever again listen to a more graphic or dramatic effort. Here it is:

HOCH! DER KAISER!

Der Kaiser auf der Vaterland
Und Gott on high all dings command—
Ve two! Ach! Don'd you understand?
Meinselb—und Gott!

He reigns in Heafen, und always shall;
Und mein own empire don'd vay small.
Ein noble bair, I dinks, you call
Meinselb—und Gott!

Vile some men sing der power divine
Mine soldiers sing "Die Wacht am Rhein,"
Und drink der health in Rheinisch wine
Of me—und Gott!

Dere 's France, she swaggers all aroundt,
 She 's ausgespielt—dot 's oudt.
 To much, methinks, she don't amoundt;
 Myself—und Gott!

She vill not dare to fight again,
 But if she should, I 'll show her blain
 Dot Elsass und (in French) Lorraine
 Are mine—by Gott!

Dere 's Grandma dinks she 's nicht small beer,
 Midt Boers und such she 'd interfere;
 She 'll learn none owns dis hemisphere
 But me—und Gott!

She dinks, good frau, some ships she 's got,
 Und soldiers midt der scarlet goat.
 Ach! We could knock dem—pouf! like dot,
 Myself—midt Gott!

In dimes of peace brebare for wars.
 I bear der spear und helm of Mars,
 Und care not for den thousand czars,
 Myself—undt Gott!

In fact, I humor efry whim,
 With aspect dark und visage prim;
 Gott pulls mit me und I mit Him,
 Myself—und Gott!

The recitation of these lines got his Government and finally Captain Coghlan into serious trouble with Germany, and to appease the wrath of offended dignity the Department "Dreyfussed" Coghlan to the Puget Sound Naval Station, not far from Bremerton, Washington. In a number of long letters I received from him while there he never wrote a word of complaint, but between the lines those who knew the man as I did could detect cuss-words as long as your finger in every sentence employed.

While the Captain and Mrs. Coghlan were visiting us that

summer day, our second daughter, Mrs. Genevieve McDougal Turner, with her two young children, paid her respects to them. She suddenly died at the Turner cottage in this city soon after they left us, of spinal meningitis, on September 25, 1899. Naturally I wrote my old friend of this irreparable loss and from him and his wife came this touching response: "We were both horrified over the great bereavement which overtook you and your wife. We felt as if one of our own had gone, for we knew and loved your sweet Genevieve. At such times words are meaningless, except where they can be accompanied by the friendly eye and grasp of the hand, to convey the consolation one so longs to give."

WILLIAM B. COMPTON, Harrisonburg, Virginia. This able and successful lawyer of the Old Dominion passed to the Court of the final Judge of all about 1897. But I here speak of him as a Confederate soldier, not as a lawyer.

He was born in Baltimore, but reared in my native county of Marion, was already a young lawyer, intensely Southern, while his father was a merchant and a Union man.

Early in May, 1861, I attended "the Big Muster" at Barracksville, in that county, and was present when young Compton, my elder brother, John Reger McDougal, and other enthusiastic secession boys, enlisted in the Confederate Army, in the company then being recruited by William P. Thompson, who was the prosecuting attorney of Marion County.

At this time my young Confederate friend was deeply in love with and engaged to be married to Miss Kate Kerr, who was the daughter of William Kerr, the high sheriff of the county, living out at the edge of town. In his efforts to come within our lines, mainly to pay his devotions to Miss Kate, and while he was a Confederate soldier, young Compton was twice captured by the captain of my company.

His first capture was in September, 1861. Our company,

was then stationed at the long bridge over the Monongahela River just above Fairmont, and Captain John H. Showalter was in command. The Kerr family suspected that Black Ben and other Negro servants (but in truth two of the neighbors, Zebulon Musgrave and Otis Watson) reported to Captain Showalter one night their belief that Compton was then at the Kerr house, a mile from camp, and I was detailed as one of the squad to search for and capture him. Under the Captain's command we soon marched to and surrounded the Kerr home and demanded the surrender of Compton. The ladies said they knew nothing of him or his whereabouts and readily gave full permission to search the house, which was done. Then our Captain ordered George K. Mallory and myself to open a huge mahogany wardrobe with our bayonets; that press was opened and, pale as a ghost, there stood Billy Compton! At this juncture, with flashing eyes and loosened tongue, Miss Kate attacked our lieutenant, Joseph N. Pierpoint, with all the batteries of her withering, scornful, sarcastic, wrathful, vocabulary, and such a tongue-lashing as she then gave him I have never heard up to this date. To me she seemed about seven feet high, and I thought her the most beautiful woman tigress of earth. Poor Joe Pierpoint had to stand there and take it all. He died in the war, in 1863, and I never knew why or how it all came about until Kate's young lady daughter told me, at Harrisonburg, in 1898, that this terrific excoriation grew out of the fact that Compton and Pierpoint had been rivals for the hand of Miss Kate up to that night. We marched back to our camp with our prisoner of war; he slept in the tent with his old friend, our captain; he was soon taken over to the military prison at Wheeling and got back into the Confederate service, but just how I do not know.

Compton's next capture was made by our same captain and alone, in the early spring of 1862. The latter was travel-

ing by train on the B. & O. Railroad from Grafton down to Fairmont, when a lone man boarded the train at Nuzum's Mills. The stranger had his hat drawn over his eyes, and was apparently dressed in full citizen's clothes. Showalter at first suspected his identity, and then, from his manner in lighting and holding his cigar, knew that it must be Compton, and promptly placed him under arrest. Upon Compton's person were later found a commission from the Confederate Secretary of War authorizing him to recruit a battery of artillery within our lines, together with a complete plan of the intended action. Then Billy was going back to revisit Kate! Compton was temporarily held as a spy at the old Kearsley house in Fairmont. There I saw and talked to him on the following morning. He was by that time the same polished, suave, carefully dressed young lawyer I had known in the past, while his superb white teeth gleamed as of old, but beneath the soldier bronze of war his pale face and serious talk clearly betrayed his critical position as a possible spy. He firmly believed his days were numbered, mainly because of the military papers found on him, and told me that nothing short of executive clemency would save him. This time Compton was transported to and confined in Fort McHenry, near Baltimore. There he was soon tried by court-martial as a spy, convicted, and sentenced to be executed by hanging on a day fixed. In his efforts to procure a mitigation of this sentence, Compton had his captor, Showalter, come to his prison cell, and there pointed out his scaffold and said he had seen that scaffold erected and had heard every nail driven into it from the grating of his cell window; but the papers found on him were fatal and there seemed no hope. About this time, and by Showalter's assistance, Compton's old father and Governor Francis H. Pierpont journeyed from Fairmont to Washington and there laid all his case directly before President Lincoln. Heed-

ing their earnest appeals, the great heart of the President was so touched that he then granted to Compton an indefinite respite. Soon after this Compton escaped from his prison and swam from the fort across the Patapsco River, over a mile and a quarter wide at that point, to the city of Baltimore, where he had old schoolmates and tried and true Southern friends. These welcomed him with open arms as one raised from the dead, furnished him clothes and money, and finally helped him to get back into the Confederate Army. There he fought out the war and was in at the death, surrendering with Lee at Appomattox.

Soon after the war Captain William B. Compton and Miss Kate Kerr were married and settled and reared their family at Harrisonburg. Here he became as conspicuous in law as he had been as a Southern soldier. In the summer of 1898 I spent a week visiting with my old friends, the Johnstons, of Washington, D. C., at Harrisonburg, and in company with my life-long friend, the Judge, called and there spent an evening with Kate, who was then the widow of my old friend. We had not met since that night at her father's home at Fairmont, in 1861, and I was somewhat surprised to see her looking so young and fresh and *small*.

ROBERT HENRY HUNT, Kansas City, Missouri, was born in County Kerry, Ireland, and near the classic lakes of "ever fair Killarney," long ago; coming to Chicago in his youth, he was then a great favorite of and called "my boy" by Abraham Lincoln; he drifted to Kansas in its Territorial days, there enlisted as a private soldier early in 1861, and was mustered out with the rank of colonel of the 15th Kansas at the war's close in 1865.

While he served in the Corinth campaign with distinction and courage, yet the greater part of his military life was passed in the many conflicts of the "Army of the Border" in Missouri,

Kansas, and Arkansas. As chief of ordnance and artillery on the staff of General S. R. Curtis, Colonel Hunt particularly distinguished himself in two conflicts: First on an expedition against hostile Indians in the summer of 1864, when they stampeded a vast herd of buffaloes out near Fort Kearney, in Kansas, and these maddened monarchs of the plains in uncounted thousands swept down upon and threatened to trample beneath their feet and annihilate the entire army. Just when despair seemed to seize all others, Colonel Hunt opened a vigorous fire upon the buffaloes with his artillery, deflected their wild course, and saved the day and the command from utter destruction. The second was at the final battle out here at Wesport, now a part of Kansas City, on October 23, 1864. Hunt commanded a park of artillery of twenty-three cannon; and in speaking of that battle and its results, only a short time before his death, General Jo O. Shelby, who then commanded a division in the Confederate Army under General Sterling Price, said to me: "During the entire battle, I often noticed a dashing artillery officer, riding a splendid white horse, who seemed to be all over the field at once; his guns played sad havoc with our boys, but I am glad we didn't kill him, for he is now your good friend and mine—Colonel R. H. Hunt."

Colonel Hunt came to Kansas City at the close of the war and this was his home the rest of his life. Here, as an active, forceful, aggressive, and progressive citizen, he amassed a fortune and left the strong imprint of his intelligent energy on most of our public affairs. He was elected Mayor of Kansas City in 1872, later organized and commanded the 7th Regiment, M. N. G.; was the genial, courteous, and attentive host of the Kansas City Casino, at the St. Louis World's Fair, in 1904; and finally was the quartermaster at the Soldier's Home, near Leavenworth, when the end came in 1908.

As Mayor of the city, Hunt saw that our trade and business of one railroad was going to rival Missouri River towns, and inaugurated a movement, which proved successful, to bring the Atchison, Topeka and Santa Fé to our doors. Through his earnest efforts, too, the systematic plundering of our city offices was stopped, and a new system of bookkeeping and accounts was established, which is in force today.

Close observation, extensive travel on both sides of the water, and careful reading had made Colonel Hunt a most interesting companion, and together we often visited in many of our American cities. Just after its completion, we were once strolling through and admiring that wondrous exposition of architectural skill and decorative beauty found only in the Library of Congress at Washington, when a turn brought us face to face with a mosaic, which made in memory a picture to be gazed upon once and worn in memory forever, and with uncovered head I involuntarily quoted, "Mine eyes have seen the glory of the coming of the Lord." The scene, the occasion, and the quotation made so profound an impression on his mind that the Colonel never tired of recalling the incident and repeated the story in all its details the last time we ever met. For many long years we were neighbors and friends, and even now I find myself wondering if it can be possible that I shall never again see his erect, manly form, note his elastic, soldierly step, listen to his wise words, or hear his ringing laugh.

BENJAMIN F. KELLEY, Wheeling, West Virginia. The memory of this good man and good officer will long be respected, honored, and even revered by every one who reads and understands the history of the men of the big war. He recruited and was commissioned by the Secretary of War direct, as colonel of the First Regiment Virginia Volunteer Infantry (Union), and, under the orders of General McClellan, moved

his regiment from Wheeling eastward over the Baltimore and Ohio Railroad, on May 27, 1861. Company A of this regiment, under the command of Captain Britt, was then halted and reconstructed two railroad bridges destroyed by the Confederates, and known in history as the "Burnt Bridges," in my county, and not far from my father's home, while Colonel Kelley and the rest of his men at once pushed on to Fairmont, Grafton, and then to Philippi, in Barbour County, Virginia, where he fought and won the first real battle of the war on June 3, 1861, and was there severely wounded. He was promoted to brigadier and then to major-general, and closed his public career as the superintendent in charge of the public grounds at Hot Springs in Arkansas.

In history, as well as in fact, General Kelley enjoyed many unusual distinctions: He was the first colonel of a Union regiment raised south of Mason and Dixon's Line; commanded in the first battle of the war; was the first Union officer wounded in that war; was the only brigadier-general on our side who while holding that rank commanded a department; and, most of all, was the only officer under the Stars and Stripes who was never once defeated in a skirmish, maneuver, movement, or battle. At his dying request, in 1892, his battle-scarred body was laid with the honors of war in Arlington Cemetery, nearby Washington, so "that he might rest at last among the soldiers."

While Kelley's regiment marched near our home, and his was the first body of our troops at Farmington and Fairmont, yet my first sight of him was at Camp Carlisle, on Wheeling Island, in August, 1861. Our company of recruits was there drilling, and his old regiment, which was affectionately characterized as the "Rough and Ready Regiment," came to that camp to be mustered out of the three-months service. Pale, wan, still sick from his serious wound at Philippi, General

Kelley drove over from the city in an open barouche to see and bid his "boys" a soldier's farewell. Just before Kelley got into camp, Captain Britt of his regiment had drummed out of camp and the Army a member of his company, and the scene is now before me as the fallen comrade was marched to the big gate to "The Rogues' March," made to go through, and, with his saber raised high, the big captain solemnly said: "Anthony Craig, by virtue of the power in me vested as the captain of your company, I hereby drum and muster you out of the service of the United States," and away went the dishonorably discharged Craig, while Britt marched his company back to quarters. To me all this was then very solemn and real; but war educates, and it was not long until I learned that a captain had no such authority.

Early in December, 1863, General Kelley and I both happened to be in Wheeling. He was then planning the historic raid of General W. W. Averill from Grafton through the Virginia mountains, known as "the Salem raid," and wished a secret dispatch and marching orders communicated to General Averill that night. He knew that I intended to return to my post at Clarksburg the following day, and at his order I was made the courier to bear the dispatch and order. At the B. & O. depot a special train, consisting of engine, tender, and one coach, stood waiting with steam up. The railroad tracks were cleared, the trainmen instructed to make a quick run, and away we flew. From Wheeling to Grafton was ninety-nine miles and we made the distance in ninety-six minutes! In going over that rough track and rounding the sharp curves, the speed was so rapid and the track so uneven that many of the seats in the coach were torn loose, the ice-water cooler thrown to the floor, and had the grim conductor jumped off, I am sure I should have followed. It was a most terrific night ride, and when I delivered at Grafton the order for the

Salem raid to Averill, no one was so glad as I that it was all over.

In April and May of 1864, while I was stationed at New Creek, we had in our second separate brigade, along with a lot of three-years volunteers, nine full regiments of hundred-days men, not especially noted for their fighting qualities. Captain McNeil, in command of his mounted rangers, made a dash across the Alleghanies and captured our outpost at Piedmont, only six miles from our headquarters. He took in twenty-four enlisted men of my company, burned their camp, bent their guns, took their side-arms, and paroled them; he burned the B. & O. round-house and shops, and captured and burned a passenger-train, but when he found the express car stored with boxes of good things to eat for our boys at the front, to his everlasting honor as a soldier, he had all such supplies loaded into a box car, with his own hand wrote on it the words, "Private property—hands off. JOHN H. MCNEIL, Captain C. S. A., Commanding," and started that car down the railroad grade toward our camp. He had destroyed all telegraphic communication both ways, and that car coming by traction within our picket lines at New Creek furnished us our first clew to the raid and the proximity of the enemy. When that car loaded by McNeil came in, a large force of our men, with three cannons, was at once started in pursuit, but the wily ranger and all his men made good their escape through mountain passes.

A word of digression may be pardoned: For some years prior to the war McNeil was a prosperous farmer and stock-raiser up in Daviess County, Missouri, and spoke for the Union until a young son of his was killed near Lexington under circumstances which to him seemed murder. Then he changed; returning to his old home on the south branch of the Potomac, he there recruited his rangers. His company and ours were

much on detached service and often fronted each other in battle. Each side respected the rights of the other and never mistreated a prisoner. When either side captured a squad of the other, the best the mess-chest afforded was never too good for the prisoners. When Captain McNeil died of wounds at Harrisonburg, Virginia, late in 1864, the command of their company fell upon the worthy shoulders of his son, Jesse McNeil, and the latter made a most daring capture of our Generals Crook and Kelley at Cumberland, Maryland, soon after taking command. After the war the McNeil family returned West and we were for years their neighbors and friends up in north Missouri.

A colonel of one of the hundred-days regiments was drafted back at his home in Ohio and came to me at our headquarters one morning trembling and excited, for he was sure he had to answer that call and serve as a drafted man. It took me half an hour to convince him that he was already in the service of Uncle Sam, was commanding his regiment at New Creek, and didn't have to obey that draft; but I have never seen any soldier so scared.

At that time, too, Generals McCausland and Jenkins, of the Confederate forces, were hanging around our flanks, in command, so our scouts said, of large forces of the enemy, and McNeil and his men had joined them. So our people naturally expected an attack daily, and just how to meet it was the question. General Kelley, then in command of the department, came up from Harper's Ferry and was in constant consultation with my brigade commander. At his earnest request, I finally became his acting aide-de-camp temporarily, and was placed in command of a battalion of these hundred-days men, although only a private soldier. Well, as a youth, I didn't like the way many of them had gotten into the war game, mainly to avoid the draft; and riding a splendid white

horse and with a red sash and sword furnished me by Kelley, the way I drilled those poor devils for six hours every day, and marched their legs nearly off, wasn't slow. Had the looked-for attack come, my firm purpose was to compel them to either cover themselves with gore and glory or perish in the attempt! It is probable I hoped to have most of them fall in battle. But the attack was not made, the fight never came off, and my opportunity did not materialize. That was the only command I ever had, and it was lucky for them that my men of those few days didn't have to go into battle.

The people of West Virginia will erect a monument to General Kelley next summer on the exact spot where he fell wounded at Philippi, in the first battle of the Civil War.

FITZHUGH LEE, Virginia. When I had the pleasure of introducing and hearing the first talk of two such illustrious heroes of the lost cause as Fitzhugh Lee and Jo O. Shelby, quoted in my recollections of Shelby, as in a pleasant dream of the long past there came to at least one old soldier of the blue a vision of 1861—of waving plumes, prancing war-horses, bugle-calls, army tents, soldiers in blue and gray—and again silent thanks were returned to the God of battles because the command of which I had been a member never once fronted the troops of either of the great Lees on the soil of our native State.

But to get back to Fitz: While visiting at the home of Aunt Virlanda Boggess Atkinson, on Prince Street in Alexandria, Virginia, early in the spring of 1866, and soon after the close of the war, I there met General Robert E. Lee, while his nephew, General Fitzhugh Lee, and myself for about ten days there occupied the same big room in the old mansion of this aunt. Then, as always, Fitz was the gallant, soldierly gentleman, and in the autograph albums of the Alexandria

belles of that now far-away time one may still find the autograph of this Southern hero. He always graciously and laughingly signed his name this way: "Fitzhugh Lee, late Major-General, late C. S. A." From his demeanor, one would never suspect that he cared a rap for the results of the war; but a more genial, whole-souled gentleman never blessed a friend.

Together, Fitz and I had more than one high old time with the lovely girls of quaint, historic old Alexandria, and visited many of its points of interest. One lazy summer afternoon we spent in ancient St. Paul's Cemetery, when I copied in full the inscription found on the tomb of the "Female Stranger." This I submitted to Aunt Virlinda on our return and questioned her as to all that was known at Alexandria of the history and personal characteristics of this mysterious woman. My good old aunt had known as much of her as anyone there, and from her lips I then took elaborate notes of the woman, her illness, death, and burial. A lawyer in full practice always errs when he prints a sketch over his own name, for the people generally get to regard him, in the characteristic language of stalwart Zach Chandler, as "one of them damn literary fellers" if it be known that he *can* write anything but law. So many years later, and on January 22, 1893, I wrote and had printed in the *Kansas City Journal* a little sketch, taken from these old notes, containing my personal reflections on the "Grave of the Female Stranger," and there simply said this sketch was "By a Virginian." Well, it was soon stolen from that paper and reproduced in full over various names in many Eastern and Southern papers; but I never said a word. How could I?

While Fitz and I were there, I clipped from some local Virginia newspaper a little poem that had the right ring to it, and it has been in my scrap-book ever since. During the war

an English gentleman and an intense Southern sympathizer, known in private life as Philip Stanhope Worsley, but to the public as the Earl of Derby, wrote and printed his translation of Homer's "Iliad," and presented a copy of his book to General R. E. Lee in February, 1866. Lately I read another book on the "Life and Letters" of "Ole Marse Robert," containing an alleged copy of this poem; but so many errors had crept into the lines that I here print it in full, just as I then found it in that local paper:

DERBY TO LEE.

(The following lines were written by the late Earl of Derby on the fly-leaf of a copy of his translation of the "Iliad," presented by him to General R. E. Lee. They are a touching evidence of sympathy and appreciation on the part of the scholarly nobleman who was aptly styled "The Rupert of debate." The "Ruperts" of the nineteenth century were, in spirit at least, ranged on the side of the South.)

The grave old Bard who never dies,
Receive him in our native tongue;
I send thee, but with weeping eyes,
The story that he sung.

Thy Troy has fallen—thy dear land
Is marred beneath the spoiler's heel;
I cannot trust my trembling hand
To write the grief I feel.

Oh home of tears! But let her bear
This blazon to the end of time;
No nation rose so white and fair,
None fell so pure of crime.

The widow's moan, the orphan's wail,
Are round thee; but in truth be strong;
Eternal right, though all things fail,
Can never be made wrong.

An angel's heart, an angel's mouth
(Not Homer's), could alone for me
Hymn forth the great Confederate South,
Virginia first—then Lee.

Later on, and early in 1873, we two again met at the same place and together went down the Potomac from Alexandria to Mount Vernon. General Grant was then our President, and the Modoc War had been raging in the lava-beds of the Klamath country, in California and Oregon, for a long time; Captain Jack, of that band, had already massacred General Canby and others, and the wild generally was being played. Among many other guests on the return trip, we met Miss Nellie the President's quick-witted daughter. In a talk with her, in his usual gallant and debonair way, General Fitz Lee said: "Miss Nellie, when you get back home, kindly present my compliments to your distinguished father and say to him for me, that if he will commission me so to do, and place in my command the old Black Horse Cavalry of the South, I will at once go out West with my men and will either capture or kill all the Modocs in the lava-beds within forty-eight hours after our arrival." She was equal to the occasion, and at once replied: "General, you are at once the most generous and impudent ex-Confederate soldier whom I have met; but I will not deliver your message." Both laughed heartily and the incident closed.

I once asked Fitz how and why it was that the Confederates kept on fighting for over a year after the world realized that the Southern cause was lost? His answer was, that the leaders who dominated the South were nearly all Presbyterians, and therefore never knew when they were licked!

The kindly and tactful sending of Fitz Lee to Cuba, and later making him a major-general in the Spanish-American War in 1898, will always be appreciated by Virginians as one

of the most gracious acts of President McKinley. The world knows how well he fought for the South, and will not soon forget his gallantry in the later brush; but to the old soldier it was always a bit incongruous to think of Fitz Lee and old Joe Wheeler as wearing the blue uniform and loyally commanding United States soldiers; yet both did it with honor and glory.

The last letter I had from Fitz Lee came to me not long before his death and expressed his grateful appreciation for my little tribute to General Shelby and himself. His best friends never claimed that Fitzhugh Lee was the greatest of his name; but it is certain that in peace, as in war, he was always a power to be reckoned with; while his charm was that with a smile of satisfaction he seemed to take a positive pleasure in both saying and doing the right thing, in the right way and at the right time.

JOSEPH H. MCGEE, Gallatin, Missouri. Was born in Clermont County, Ohio, July 6, 1821; vividly recalled all the incidents of the night "the stars fell" there in November, 1833; learned the trade of a tailor; removed to Missouri in 1837; recollected the facts relating to the "Mormon War"; the organization and settlement of a city called Adam-on-di-Ahman (the grave of Adam) northwest of Gallatin, the Gallatin fight between the Mormons and the Missourians in October, 1838, the burning of the then little town and the capture and release of himself on that day; the personnel of the Mormon leaders, and finally the flight of the Danites and their associates in the following year; he married, went to California for gold in 1850, and returned home in 1852; taught school; was elected and served as clerk of the Daviess County Court, and when first I met him at Gallatin in 1866, he had gallantly served throughout the Civil War in the 1st M. S. M. Cavalry and been mustered out with the rank of major.

In the spring of 1867 Governor Thomas C. Fletcher appointed Major McGee as the first Judge of the Daviess County Court of Common Pleas, just authorized, and in this office he served till the fall of 1868, and not one of his many decisions in all that time was ever reversed by the Supreme Court. He was not a trained lawyer, and knew it. Many a time I heard him say to strong, able men at the bar of his court: "Gentlemen, your arguments are unusually good; I don't pretend to know just what the law of this case is; but I do know what justice requires, and that I will do." The secret of his judicial success was that he had good "horse sense" and used it. In his many conferences on law, business, or policies, he made it a point to remain absolutely silent until all others had spoken; then his final judgment, after mastering the theories of others, was invariably sound. So he became known as the settler of all controversies, and was always wise and sagacious. Accustomed to the Old Dominion dignity and courtesy, as a young law student, I strolled into Judge McGee's court-room at his first session to see and know just how justice was there administered. New in the West, and not up on its free and easy ways then, I was first surprised to see the Judge trying a jury case, but sitting down among the lawyers and smoking a pipe; but was horrified a minute later to see a long-legged, slouchy cuss from the Dog Creek country walk in and hear him address his Honor thus: "Say, Joe, gimme a light." In true old soldier fashion, the Judge handed this man his pipe, the bowl was put over the caller's pipe and the smoke came from both; Judge McGee's pipe being returned, the two smoked away, and that trial proceeded. And I thought: "What a great opportunity Harper misses by not having an artist here to sketch this scene." Yet in less than a year I too was smoking a pipe at that same bar among the lawyers of good old Daviess County.

At the general election in 1868 Major McGee was elect-

ed and for two years served as the Missouri State Register of Lands, and was again nominated for the office in 1870, but went down in defeat along with our other nominees of the Republican party.

Later on he was the U. S. Marshal for the Western District of Missouri, with headquarters at Kansas City, and was succeeded in that office in December, 1885, by Colonel Elijah Gates, who was appointed thereto by President Cleveland.

When first I knew this grand, good man, his face was full and ruddy, with sandy hair and whiskers, and, like the soldier and hero he was, he stood above six feet high. But when he died at his Gallatin home in 1905, the snows of eighty-four winters had turned his hair snow white, the soldier slept, the strange and sudden dignity of death was his, and long years had laid low the once intellectual giant of the Grand River country. His "Memoirs" have since been printed by Rollin J. Britton, a gifted young lawyer of the Gallatin bar.

In writing of Major McGee, I throw in this incident, for, not unlike others, I always feel a strong temptation to say a word about my children anyway. He had known and been fond of our boy, John Edmund McDougal ("Ned"), ever since he was a baby at Gallatin, and one summer evening here, many years ago, we three were sitting on the front porch at home out on Troost Aveune. The Major was here visiting me and our talk at first ran on war-times and the law; but all three naturally fell into a discussion of the vacation then being taken by Mrs. McDougal and all other members of the household, when that boy, not over ten, in his earnest way, sagely and truly said: "The absence of Mother always transforms this *home* into a mere *house*."

As Gallatin was long my home, it may not be inappropriate

to here reproduce my letter to one of the newspapers there on October 24, 1908:

"Dear Missourian:—Forty-two years ago to-day my wandering feet first pressed the sacred soil of dear old Missouri. To-day, at nearly sixty-four years of age, I am still proud of the fact that I then came to this State, and prouder yet that for nearly twenty years I was a resident and citizen of Daviess County—then I came and have since lived here.

"But on that day, now so long ago, I came into Missouri over the H. & St. Joe R. R., and my first stop was at the then grand hotel called the 'Planter's House' at Chillicothe. That town was then a 'hummer.' The songs of the saw, hammer, and axe and the kissing of the seductive billiard-balls were heard all night long, and settlers in 'free Missouri' were arriving on every train. The next morning I took passage on the lumbering stage-coach of that time, and through the mud and the rain slowly made my way up to Bancroft, in the northeast part of your county. My father and family had removed to that county in the spring of '66, and, having been a private soldier in the Union Army all through the Civil War, I had seen but little of them since '61. So I was naturally anxious to visit them all, and no twenty-four miles ever seemed so long. My intention was to be with the family for ten days and then go to either the Pacific slope or to South America. But we got into Bancroft in the rain before night-time, and you may well believe that there was then a happy reunion of the Clan McDougal. The following morning the sun was up long before I was. The day was most beautiful, and from the roof of his brand-new house, just west of town, my father showed me the roofs of twenty-seven other new houses that had all gone up that year. Right then and there that view and the 'Bancroft prairies' captured me, and I have ever since been their willing slave. Since '66 I have traveled much over and through this wondrous American continent, but never have I seen a more fertile country or one that was in any way better than those same prairies.

"Full of youth and hope and fire and energy, I was then a young man, and soon went down to Gallatin. Those of you who live there now, with your schools, churches, public buildings, and all the modern and luxurious appointments of home, can hardly appreciate Gallatin as I first saw it, forty-two years ago. My memory is good, but if there was a sidewalk of

any kind in town twenty consecutive feet in length, or a fresh brush of paint on any residence in the place (except the home of Captain John Ballinger, who was that year elected sheriff), I do not now recall either.

"Going at once into the office of Judge Dodge and beginning the study of the law, having no family ties and no friends short of the Bancroft country, you can perhaps understand how and why it was that for a time I was a trifle lonesome. This speedily passed away, and for many happy and prosperous years in your midst I was blessed with an abundance of good friends and clients. In the early days we did not have the up-to date entertainments you now have. We were then fourteen miles from a railroad, amusements were scarce, 'The Maiden's Prayer' or 'Smith's March' was the summit of the then few piano-players, and many a time, for want of something else to do, with a lot of good fellows have I sat about 'the Square' in the cool of a summer evening, watching the flight of millions of chimney swallows as they swiftly whirled around in the air and finally flew into the various chimneys of your old court-house. Then Richardson, McFeran, Sheets, Dodge, Leopard, McGee, Hargis, Cravens, Clingan, Woodruff, Stone, Coulson, Conover, Hicklin, Venable, Osborn, Givens, Lawson, Brosius, Jacobs, Grantham, Brown, Deistelehorst, Bowen, Taylor, Hill, Folmsbee, Peniston, Knauer, Wynn, Buchols, Keene, and many others whose names are not recalled at the moment, were in their glory; but they are all dead and gone now, and the present generation hardly recalls either name or achievement. So it goes, and may be it is just as well. But the few survivors stop and look backward now and then and do not attempt to repress a sigh because the old friends and old times are gone forever. A thousand pleasing yet sad memories will come up, and the sole question with the old timer is: What shall not be said?

"Away back in sunny Tennessee, and long ago, originated the saying that 'He who once drinks of the waters of Caney Fork returns there to die'; and the same is true of Grand River. This thought, not less than the hope of meeting and greeting many an old-time friend, led me to go back to Gallatin to pay one more tribute of affectionately grateful respect to the people of Daviess County at the dedication of their splendid new court-house on the fifth of this month. That tribute was paid in silence, for I sat alone, and with utter

strangers, away back in the audience, and with thoughtful attention listened to the many excellent addresses and solemn ceremonies attending that dedication. If lips and tongue were silent, my thoughts upon the olden time were not; and I could but think: What could and would many of the silent slumberers have then said could they once more come back and face Daviess County? Most of them were there long before my day and knew all about the people and their history from early pioneer times but they were not there to witness their own triumph.

"Well, I was and am glad I attended that dedication. The older lawyers learned to 'think on their feet' in the old courthouse, while the new ones can do the same thing in the new. Tender memories will cling around the old so long as the earlier settlers shall last; but in so providing for the wants and the needs of present and future generations you have done both wisely and well. As long as you live this new building will be your safety, your pride, and your glory."

Five years ago the pictures of the "Old Guard" of Gallatin were reprinted. Most of these are named among the dead in my letter of 1908. But of them I then said in local print:

"*Dear Democrat*:—I thank you sincerely for the compliment implied in your courteous request for me to write a communication relating to the 'Old Guard,' whose pictured faces are so admirably reproduced in your last issue, but in saying that such a communication would be appreciated and gladly published you make a proposition so rash as to convince me that you don't know how easy it is for me to speak with the pen upon a subject that interests me so much and that I love so well as 'The "Old Guard" of Gallatin.'

"You see, I first struck Gallatin in the fall of 1866, an active young fellow, with an abundant accumulation of good clothes, bottomed with a \$17 pair of Benkert Scotch-soled boots and crowned with an ultra-fashionable plug hat, but without either money or friends in the town, and the 'Old Guard' of today, in all the rugged, honest, honorable power and glory of lusty, vigorous manhood, was then 'on guard.' To be thus togged out was not the best possible advertisement for a young stranger in that country and at that time, for most of the 'Old Guard' then wore the 'brush' hat (the survivors will recollect it), and cowskin boots were then in fashion there, and

jeans pants were in evidence everywhere. I soon found out that, while not arrayed in purple and fine linen, my attire was against me and that this elegant plug hat was the pet aversion of many. But I had been through the Big War, had traveled the country over, had seen the elephant and pulled his tail, and knew some things, and I soon determined to become and remain in all things as nearly like those with whom I had cast my lot as possible, and to win their esteem and friendship; so I at once entered the office of Judge Dodge as a law student, and from that time on until I was admitted to the bar in '68 I worked like a Trojan in getting up the first abstract of land titles in Daviess County and studied law far into each night, denying myself all the pleasures of the time and place excepting base-ball. No member of the 'Old Guard' ever treated me or any other stranger with the slightest discourtesy, but in my case they simply and wisely watched and waited to properly size me up. Captain Ballinger was the first man to pat me on the back and say, 'Young man, you are pursuing the right course; keep it up—you 'll win.' Then courtly Major Clingan spoke most kindly and encouragingly, others did the same, and the first thing I knew I became, without naturalization or even muster-in, a full-fledged member in good standing of the 'Old Guard' of to-day, and until I left Gallatin to come to Kansas City in 1885, I was in almost daily contact with all the members in every relation of life between man and man in time of peace. To say that I honored, respected, and loved them all is but to publicly repeat that which I have often said in private.

"I have known many places and peoples, yet for sterling integrity, correct living, thinking, and acting, warm-hearted and generous-handed friendship, high courage, standing, and character, sobriety, industry, kindness, and loyalty to country, family, and friends, I know of no body of men on earth that have or deserve a higher place in the affections of a friend than my fellows of the 'Old Guard' of Gallatin. The surviving members of that noble band of men, as well as the children, descendants, and friends of all the members, owe to Rollin J. Britton, for his loving, painstaking care in securing and preserving in permanent form this group of pictures, a debt of gratitude that neither time nor money can repay, and I am sure that I but voice the sentiment of all the survivors, as well as the descendants of the dead, in here tendering him

our honest, heartfelt thanks for his invaluable labor of love.

"I have just now again looked over each of the pictured faces, and what a flood of tender and heroic memories each face brings back to me! 'Cheers for the living, tears for the dead.'

"Thus far I have spoken of the 'Old Guard' in the aggregate and in justice to you and your patrons dare not go further, for the reason that if I should take advantage of your generous offer and write and you print all the good and interesting things I recall and could easily write of each man in this group, that matter would absorb every column of your paper for weeks, your ads would be crowded out, and you would for all that time be deprived of the pleasure of cussin' Republicans! I cannot get my own consent to deprive you of this profit and pleasure, and, as it is now nearing the noon of night, I reluctantly bid you and the 'Old Guard' an affectionate good-night."

This same Major McGee was so closely connected with the following stories that I also reprint my communication of last year (1908) on the early-day Christmas in Gallatin:

*"Dear Missourian:—*Your roving request for me to make you a few broken remarks on 'An Early Christmas in Gallatin' applies with equal force to any Christmas from 1866 to 1884, for during all these years I lived among you and could easily paint a composite picture of any one or all of these days. Now, if my orders only permitted it, I 'd like to wander away back to the days of the Civil War and tell you of the occurrences of any Christmas day from 1861 to 1865. I now recall them all distinctly while in the service of Uncle Sam, and just how we put in each day—in camp, or on the march, or in the fight, or in 'pressing into the service' a chicken or a pig or any other vicious animal that might have bitten the 'boys in blue.' In those far-away times we often marched and fought and retreated all in the same day. I am rather glad of it now, though it wasn't a bit funny then. 'Then, you know, it was 'war to the knife, and knife to the hilt'; for Americans were against Americans, and it is no wonder that our side sometimes got licked. Early in life, however, I learned that the first duty of a soldier is to obey orders; and, as you call for a Gallatin story only, I suppose I must follow the example of his fellow-Sunday-school scholar that Milt Ewing used to

tell us about. That boy told his teacher in Ohio that he 'just must have Sinbad the Sailor, begosh! or nothin'.'

"CHRISTMAS, 1866.

"The story I am going to tell you didn't happen on that exact day, but it is the first that comes to mind and actually did occur along about that time. Joseph H. Herndon (we then called him 'Hi' for short) then kept a general store at Gallatin on the corner where is now located the Farmers' Exchange Bank, and my brother Fes was his clerk. Although two years my junior, this brother is now a white-whiskered old chap living up at Princeton, Mo., and is a trifle better now than then, while I remain about the same. Well, about that time Will R. Hendricks and his brother Abe, of the Bancroft country, happened in Gallatin in a big sleigh and insisted that, as it was Christmas-time, we two should go driving with them and pay a visit to our father, who lived near by them. The weather was fearfully cold, the snow over a foot deep, and we just had to have something to keep us warm—all being old soldiers. So we went from 'Hi's' store over to John T. Taylor's drug store, then on the east side of the public square, and procured the necessary refreshments (just as good for man as beast), done up in a glass bottle. But 'Uncle John' was as wise in his day and generation as are Harfield and his other successors in this, and then assured us that it was against the law to permit that bottle to go out of his store 'dryso.' Hence he 'medicated' it by placing therein (it was a quart) an inch roll of cinnamon bark! If that bark either hurt or helped the liquor, we never found it out. Thus armed and equipped, however, we started, and after much trial, snow, cold, and tribulation, finally arrived at the home of their father, Eli Hendricks, where we had a bully good dinner. Then we drove to father's house, took my sisters Delia and Hattie in the sleigh, and all went on to a Mr. Pierce's, southeast of Bancroft, where we had a great dance that night. Let's see, that was about forty-two years ago. I wonder to-night if all the merry dancers of that night are still on earth? Some of them I know are not, but I hope most of them are.

"CHRISTMAS, 1867.

"In November, 1867, John Reno and his gang had robbed the Daviess County safe of about \$23,000, and about December 15, 1867, Captain John Ballinger, who was then sheriff

of your county, ably assisted by Captain Joab Woodruff and Alex M. Irving, of your city, captured Reno at a hotel in Indianapolis and brought and lodged him in your county jail. Reno told me that when he saw Captain Woodruff's jeans breeches and 'brush' hat in that hotel, he knew at once that the jig was up, and surrendered as quietly and quickly as possible. Along in jail with Reno, and charged with complicity in the same crime, were Daniel Smith, of near Gallatin, and Frank Sparks, of Indiana. Sheriff Ballinger, always as brave as a lion, felt alarmed lest the friends of Reno should rescue him or a mob of infuriated citizens of Daviess County should take Reno and his gang out and hang them. So, to quiet his apprehensions, Jehiel T. Day, Crow Dunn, Will Hargis, Clay Peniston, Thomson Brosius, and myself, all young fellows then, volunteered to stay in jail and guard these prisoners. We soon became known throughout the country as the 'National Guard' and remained on duty day and night until Reno, upon being arraigned in circuit court, pleaded guilty, was duly sentenced by Judge Jonas J. Clark, and was started on his way to Jefferson City early in January, 1868, to there serve a term of twenty-five years in our State penitentiary for his crime. We were there on duty in that jail on Christmas day, 1867.

"While so engaged there in guarding these prisoners late one night along about Christmas, Sparks was called for in a quiet but most unusual manner. Captain Ballinger, Major McGee, and Bob Grantham, all public officers then, came into the jail looking grave and thoughtful, and, with Sparks in their midst, went out into the darkness. In a few minutes, away down the gulch, where old Jerry Casey (colored) used to live, we heard several musket-shots fired. Two or three of our men who were in the game (I wasn't) sighed heavily and muttered, "Poor Sparks!" After this funereal occurrence the same officers returned to the jail and in the same way called for Smith, and this time I was one of the party called to go and help execute the prisoner! We took him out under a tree in the court-house yard. Smith was asked if he had anything to say before he died. He said he would like to pray, and, kneeling down on the cold, wet earth, the doomed man uttered a prayer that was at once the most earnest, impressive, and powerful appeal to the Throne to which I have ever listened. Here in my cosy den at home I even now re-

call the outline of that marvelous prayer. In tones that would have convinced a wooden cigar sign, he called upon God to witness his innocence; prayed for his wife and children, family and friends; for John Reno, who had brought him to the very shadow of the gallows; and closed with an appeal for the forgiveness of 'the officers of the law who were then about to take the life of an innocent man.' A rope was produced; one end of it was fastened around the prisoner's neck and the other thrown over the limb of a tree. The command was given, 'String him up!' I was new in the country—not accustomed to that sort of thing. I thought to myself, 'This is hell; but here I am among the vigilantes of the far West, and I'm one of them.' So with the others I pulled on that rope, and in the dim and dark of that murky night in December, '67, I now see Smith dangling in the air. I thought it was the real thing, and that I was actually engaged in an earnest, patriotic effort to murder a man! But before the breath left Smith, he was let down and again asked not to appear before his God with a lie on his lips and was again urged to confess all. Protesting his innocence still, he was swung up twice more and let down each time. Whether guilty or not, I never knew, but both he and Sparks went free.

"THE I. O. D. C. B. OF GALLATIN.

"Christmas, holidays, and Sundays were pretty much all alike in the early times at Gallatin. All railroads were many miles away; daily papers and telegrams were scarce, good readers and good singers scarcer, and religious revivals, joint debates on baptism, and the annual advent of the circus were our principal amusements; yet it was a good town to live in. I was then a young law student and my time wasn't worth near as much as that of a good, industrious hen; yet everybody else seemed reasonably busy, without any hurry, or bustle, or rush about anything. Philosophical problems never vexed the people then, nor were we remorselessly scientific nor ferociously virtuous at that time. So, along with business and other every-day work, loafing became a sort of fine art; and aside from our personal affairs, no one either took or had any special interest in any given matter that did not directly concern him.

"But then, as now, the desire of the young men was to strike out and subdue some new field; to do something not yet undertaken. This feeling, as one of the direct results

of our association in this 'National Guard,' led up, naturally enough, to the formation of Gallatin's crowning glory—the I. O. D. C. C. B. Early in 1868 this then famous club was formally and finally sprung upon an unsuspecting world. It was for bachelors only, and at first it was purely a literary affair. Its original purposes, however, were soon discarded as being entirely too tame for time and place and members. I now have before me, in my own handwriting, covering eight sheets of legal cap, with five Articles and heaven only knows how many sections, the original constitution of that club. This is all duly signed by fifteen Gallatin bachelors: Christopher C. Gilliland, Henry C. McDougal, J. Ambrose Broughton, Milt Ewing, William A. Hargis, David T. Johnson, Jehiel T. Day, Joshua F. Hicklin, John M. Cravens, Henry H. Davis, H. Clay Peniston, Ross J. Singer, James T. (Crow) Dunn, Charles A. Shaw, and David S. Howe. Of course every member obligated himself never to get married and naturally every man violated that obligation. I was not its chief; Day was, and him we always addressed as 'the G. C. P.' Take him around the corner some fine day; he could (but won't) tell you all about our club. If you would know as much about it all as has ever been in print, then turn back in your files to your issue of *The Missourian* of date May 5, 1881, and see how I then wrote nearly a page of your paper in describing this club, and Day's then very recent marriage to Mrs. Pauline Fisher Davis. He was the last of our club to go the way of all the earth as a bachelor, and of all the jolly good dogs in that once happy and care-free kennel, Day is the only **one** now living in Gallatin. Nearly all the other members have long since been mustered out of life and the few living survivors are widely scattered. I trust our dead are all in the 'Land o' the Leal' to-night, waiting on the banks of the farther shore with outstretched hands to again meet and greet and welcome their few surviving brethren. My heart wanders back again to these boy friends of mine. All deserve a home in heaven, I'm thinking, for in its day that Club did much good and no harm."

THOMAS A. MAULSBY, Fairmont, West Va. Just when I first met this gallant soldier and his young wife I do not now recall; but it was long, long ago, they were newly wedded and I a boy. I was devoted to them; we then lived near each

other, and now they have both joined "the silent majority." In 1861 he became the captain of Company C of my regiment, and a little later his company became "Maulsby's Battery." While he and his battery were holding the Confederate Army in check at the battle of Martinsburg in June, '63, a rifle-shot lamed him for life; he was wounded nigh unto death and they sent him to the hospital at Clarksburg. My meals were then served at this hospital, and three times every day Charlie Eyster and I met at the Captain's cot and there sung war-songs of faith and hope and triumph until the pale, wan face of our beloved friend at last relaxed into grateful smiles. He never fully recovered from this wound; but always believed these little boyish diversions then saved his life. The story of my last visit to this good man has been told in print by a friend so much better than I can tell it that her letter to his home paper is here reproduced:

"WASHINGTON, D. C., 1332 V Street, N. W.
"August 1, 1907.

"Editor of The West Virginian:..

"Proclaiming myself a veteran of the Civil War only because I saw much of its field and camp life, I want to tell you a little story that led up to a most touching reunion of three Marion County veterans up at Mountain Lake Park, Maryland, the other day.

"Throughout that war, my husband was an official in the U. S. Quartermaster's Department, and wherever duty called him, there was I.

"Among a number of young Union soldiers to whom I became a sort of big sister, was a tall, slender, smooth-faced Virginia boy, whom I first met at Grafton, West Virginia, in '63. Later on our office force was ordered to Gallipolis, Ohio, and when mustered out in the summer of '64, this boy joined us there, he and my husband working side by side in the same office, and we were members of the same military family until the war closed.

"Then the young soldier-clerk went west 'to grow up with the country,' and we settled down in our home in this city. He became a lawyer, and for years his professional

duties have often called him to Washington before the Supreme Court of the United States and the departments. The friendship of war-times remains unbroken, and when his work permits the diversion, he has always been a welcome guest at our home. That soldier boy is now Judge Henry Clay McDougal, of Kansas City, Missouri.

"Back in the war-times I often heard him speak of Captain Maulsby, and some years ago I read a speech which he made at a reunion of Maulsby's Battery. From all this I knew that the Judge and the Captain were bound together by the strongest ties of comradeship and friendship. So when the Judge, who was again at Washington on legal business, came to my home the other evening, with a telegraphic invitation urging him to visit Captain Maulsby at Mountain Lake Park, and asked me to join him, I readily consented, for he needed the recreation and I wanted it.

"Being an old campaigner myself, I was soon ready, and together we two hiked off the next morning for the mountains over the B. and O., riding in a palace car, taking a superb luncheon in the dining-car. 'This is a trifle different,' quietly said the Judge, 'from the way I traveled over the same road in the war; for then we rode in cattle-cars and subsisted on hard tack and fitch.'

"Arriving at Mountain Lake Park, we were warmly welcomed by Captain Maulsby, who during the three-days reunion provided us with comfortable quarters and abundant rations, to say nothing of the delightful drives through Oakland, Deer Park, and the adjacent mountains. And such a reunion! Present for duty: Captain Thomas A. Maulsby, of Fairmont, West Virginia, late commander of Maulsby's famous battery; Private Henry C. McDougal, late of Company A, 6th West Virginia Infantry; and Captain Amos N. Prichard, late of the 12th West Virginia Infantry. All three went into the Union Army early in the Civil War, fought it out, and suffered all its privations, but would do it all over again to save the Union.

"These meetings by the wayside are becoming infrequent, for the boys of '61 are fast falling in line for the last roll-call.

"But those who stood shoulder to shoulder in the ranks, who shared the hardship and danger of march and battlefield, who joined in the frolic and hilarity of camp-life, and who with honor, and often with scarred and maimed bodies, re-

turned to the duties of civil life, have one and all a love for their comrades 'passing the love of woman.'

"Though the years have brought gray hairs, and cruel wounds still ache, the three were once more boys again, in spite of the fact that Captain Prichard boasts of more than four-score years to his credit and Captain Maulsby has passed the allotted three-score years and ten, while Judge McDougal has just scored the retiring age of sixty-two, which does not spell retirement for him by any means.

"Each has known the other for a lifetime, and each loves the other like a brother; so that this brief meeting will live in their memories as long as life lasts.

"Others, too, who shared their happiness will not forget their recital of war-time experiences, their singing of songs of camp and battlefield—'Marching through Georgia,' 'Bingen on the Rhine,' 'Babylon Is Fallen,' and the like, often rang out in the grand old woods of the mountains.

"As these three veteran cronies talked together of their youth, early manhood, the dangers and glories of the war, and of comrades long since mustered out of life, more than once a voice grew tremulous, a chin quivered, eyes moistened, and I expected a breakdown; but it didn't come until the morning we left. Then, as Captain Maulsby and the Judge were superintending the replacing at the front of the newly painted house the sign 'Maulsby's Cottage,' the Judge suggested that it be changed to read: 'Headquarters Maulsby's Battery.' This brought a flood of recollections to both; but the Captain went inside his cottage and the Judge sat with the rest of us on the front porch. No one was speaking, when, without warning, the Captain came out on his crutches with his old war-time red sash of a captain of artillery gracefully around his now rotund form, his sword-belt (now a world too short), and his Colt's Navy revolver in the service-worn scabbard. All arose and gave him the military salute; but the sight of those old familiar equipments of war which the Judge had seen the Captain wear as a slender young officer, or the look upon the Captain's face, or something that old veterans may understand, quite overcame both. The Judge surveyed the Captain for a moment. Neither spoke. Then their eyes met and soon both were in tears. To see these two grand men—strong, stalwart veterans of the great war—crying in each other's

arms, was a most touching sight, and out of sheer sympathy the rest of us joined our grateful tears with theirs.

"A few moments later we broke camp. The grand reunion was ended. God grant that it may not be their last.

"MRS. FRANCES A. JOHNSTON."

Editorial comment on the above letter:

"A GRAND REUNION.

"*The West Virginian* publishes elsewhere in to-day's paper a most interesting account of a reunion of Civil War veterans at Mountain Lake Park. The story is charmingly written and the names it contains are so near and dear to the people of this community that the account will be read with intense interest, and we doubt not that many an eye will be moistened before the story is finished. The days of old will be lived over in memory by the comrades of Captains Prichard and Maulsby and Judge McDougal when they read of the meeting of these veteran soldiers at 'Headquarters Maulsby's Battery' at Mountain Lake Park. We are glad of the privilege of publishing such an interesting story as that written by Mrs. Johnston."

JAMES A. MULLIGAN, Chicago, Illinois. Prior to the war this distinguished Irish-American lawyer and soldier practiced his profession at Chicago and there incidentally commanded a military organization composed of his fellow-countrymen, officially the Shields Guards, but called in history "The Mulligan Guards." Early in 1861 he recruited and later commanded the 23d Illinois Infantry. Its officers and men, in honor of Erin's Isle, alike wore green shirts, and by reason of this peculiarity and their soldierly appearance never failed to attract attention in camp, on march, and in battle. Every man of the regiment was a fighter, and the command was always known as the "Irish Brigade."

With his regiment Mulligan was at Quincy, St. Louis, and Jefferson City, and from the latter point marched overland to and participated in the famous siege and battle at Lexington, Missouri, in September, 1861. At the close of this

fighting, Colonel Mulligan, who was in command, surrendered our forces to General Sterling Price. Nearly all his officers and men were then paroled, and it was several months until the regiment came together again. Colonel Mulligan declined a parole for himself on the ground that his Government did not recognize as belligerents the officers or men of the Missouri State Guard, then commanded by Price. So he was treated as a prisoner of war, and General Price carried him Southward and the two became warm friends. After his exchange for Colonel Frost of the opposition, Colonel Mulligan returned and again assumed command, but this time in the Army of the East.

While in command of a separate brigade at New Creek on the Upper Potomac in the early spring of 1864, Mulligan and his old regiment nearly all re-enlisted and went to their Chicago homes on the veteran furlough of thirty days, and that command temporarily devolved upon Colonel Wilkinson, of my regiment. When they returned to the field, I was at New Creek as the chief clerk of that brigade, and as such for a time was subject to the orders of Colonel Mulligan. When on duty or dress parade there, no officer of the war was a stricter disciplinarian, talked less, or was more of a martinet. One tap on his headquarters silver bell called to his side Martin J. Russell, his assistant adjutant-general; two taps, his aide-de-camp, James H. Nugent; another, the chief clerk. We often saw his big bold handwriting on memoranda for his military orders and letters, or listened to his curt words of command; but unless he propounded a direct question, neither of us ever spoke one word, for we were not there to talk or suggest anything, and knew it. But when off duty, no one could talk more or better than he, and in his green shirt and undress, it was his especial pleasure to mix

and mingle and wrestle with his old "boys," for then he was one of them and gave no thought to rank. His tall, commanding, handsome form, rollicking Irish wit, and infectious laugh made him a warm welcome anywhere in the Army, and especially so in his "Irish Brigade." His home was in the saddle, and his imposing abandon, picturesque appearance on horseback at the head of his men, with his long, glossy hair, flowing moustache, and eagle eyes, was always the signal for wild cheers for "Mulligan and his Irish boys."

Although a man and officer of unquestioned courage and ability, yet Colonel Mulligan was not in political accord with the Washington administration, and I have always believed that this was the only reason that his merits were not rewarded by a general's commission until it came—after he fell in battle. In the hard fighting in the valley of Virginia, under the command of that other eminent Irish-American, General Phil Sheridan, while leading his division at the battle of Kernstown, on July 24, 1864, the sometimes spectacular, yet always gallant and efficient Colonel Mulligan fell mortally wounded and soon died. I was then told that the Colonel and his beloved wife's young brother, "Jimmie" Nugent, whom I knew well, both received their death wounds and yielded their lives for their country within the same hour.

Early in the war and before the Lexington siege, the old 23d Illinois was stationed for a time at our State capital. Colonel Mulligan had a habit of detailing Captain Robert Adams, Jr., of that regiment, as R. Q. M. and all sorts of other assignments which required a knowledge of the law and the use of the pen. This grew irksome, but the Captain stood for it all, until one day their adjutant, who had then assumed command of the regiment, in the absence of the field officers, for some supposed infraction of military law, arrest-

ed and placed one of the Captain's men in the guard-house. The war and its volunteer soldiers were then young; no one knew or cared much at that time about "the rules and regulations," and this outrage on one of his own men was more than the Captain would stand. So he marched his entire company to that guard-house and promptly released the prisoner! Fully resolved that if he could not fight in peace in the 23d, he would resign and join some other regiment, the Captain in good faith repaired to the headquarters of the command at Jefferson City to resign his commission and join some other regiment. General Ulysses S. Grant happened to be present, and in his usual kindly way asked for and the Captain explained all the facts, concluding with the statement that Adjutant Cosgrove was in command. After listening in silence to his recital, Grant's eyes twinkled a little as he enquired: "Who is your ranking captain?" The Captain answered: "I am, sir." "Then," said Grant, "will you please tell me how it comes that your adjutant, who is only a first lieutenant, commands the regiment?" Adams hesitated and blushed, but at last said: "I don't know, sir, how it happens, except that he rides on horseback and I go along on foot with the boys." With his quiet smile, Grant then said: "My boy, by virtue of your rank, you are now in command of the 23d Illinois." In telling me about this early incident, the Captain said: "You should have seen me salute and march straight from headquarters to my command, and the first thing I did there was to write an order to Adjutant Cosgrove to report to me at once under close arrest, and this I signed: 'Robert Adams, Jr., Captain commanding Regiment.'"

This same Captain Adams, now a distinguished Kansas City lawyer, was my judge-advocate general for a time in the war, and I recall now the day in 1863 when he brought

his bride to our headquarters at Clarksburg. She was a beautiful young lady, good and kind to the boys, who worshipped her, and until the silver cord was loosened and their golden bowl was broken, only a few years ago, between the Captain and his good wife, there always existed a most beautiful and genial comradeship, and to each other they remained "Joe" and "Bob," as in the days of their youth.

ROBERT C. SCHENCK, Dayton, Ohio. Back before the war Schenck represented his home district in Congress and also served as a foreign minister; but with the rank of a major-general of volunteers, and his headquarters at Baltimore, along in 1863 he was in command of the 8th Corps of the Army. Then he was sent to Congress again, and in 1871 President Grant sent him as our minister to England. He did well in everything in both civil and military life; but while representing this country at the Court of St. James, in an evil hour for him, he happened to instruct a choice few of the British nobility in the mysteries of that seductive American game at cards here known as poker. It is said that some of the Britons were so impressed with the game that they caused his manuscript on the rules of poker to be printed for private circulation; but, as often happens, the opposition got hold of a copy of this pamphlet, and for years afterward fiercely lambasted and lampooned the good General, and then dubbed him "Poker Bob." The last I heard of him on the other side of the waters, he was reported dying of Bright's disease, and soon dropped from sight.

About a dozen years ago, I was seated at the dinner-table at Willard's in Washington with an elderly gentleman, with full, white hair and whiskers, clear eyes, ruddy face, and in apparently perfect health. In his manner, tone, and face there was something so strangely familiar to me that, addressing

him, I said: "Pardon me, sir, but are you not General Robert C. Schenck?" He courteously admitted that he was. I introduced myself, and his evident satisfaction upon being recognized by one of his war-time "boys" is still a treasured memory. In the many conversations which followed, he distinctly recalled the old days and the officers of the war from Grant down; he reviewed his old corps, divisions, brigades, regiments, and a few companies; but of course did not recollect me as one of his private soldiers. Once I referred to the newspaper accounts of his long, serious illness, and congratulated him upon his complete restoration to health, when the old General said; "Yes, sir, I was very ill for a long time; and to-day attribute my complete recovery to a remedy suggested by a German physician within that time; for in over two years not a thing ever went into my stomach except ripe tomatoes and buttermilk."

JO O. SHELBY, Adrian, Missouri, was born at Lexington, Kentucky, in 1830, of a long line of distinguished ancestors on both sides of his house. In boyhood there he was the play-fellow of his cousins, B. Gratz Brown and Frank P. Blair, all descended from a great lawyer named Benjamin Gratz, who was a contemporary and at the bar quite the equal of the great Henry Clay. Each of the three cousins named came to this State and in the Civil War attained unique national distinction: Shelby as a commander of Southern forces and later a U. S. marshal; Blair as a soldier and U. S. senator; and Brown as a U. S. senator and later Governor of Missouri. So, long years before either was called hence, the world came to know each.

All these men became prominent factors in the campaign of 1860, when the total presidential vote of Missouri, the State of their adoption, aggregated 165,518. Then in the year fol-

lowing, the Big War commenced. Brown and Blair stood by the Union, while Shelby went South. The passage of the Kansas-Nebraska bill in 1854 and the subsequent troubles along the border had made nearly every Missourian a fighter. So when the war came on, Missouri sent into the Union Army over 109,000 and into the Confederate Army over 90,000, and at all times kept its quota full in the two contending armies, and that, too, without a draft, which was ordered and enforced on both sides in all other States. This aggregate exceeds our total vote of 1860, but this is accounted for by the further fact that the Civil War was fought by boys. Out of the 2,800,000 in our Army, more than 2,000,000 were under the age of twenty-one years at the date of their enlistment. Upon this subject I once gave these statistics and added: "Such is the proud fighting record of Missouri in the Civil War—a record without precedent or parallel in the history of the world." After completing his academic course at Transylvania University in Kentucky and at a Philadelphia college, Shelby came to Lafayette County, Missouri, in 1849, participated in the border troubles of 1854 to 1860, and at the outset promptly entered the Southern Army in 1861. He had no military education, but had sense, scholarship, enthusiasm, courage, dash, and these attributes made him a natural soldier, a great leader of men. After engaging with his command in nearly every battle in the West, from Wilson Creek, Lexington, and Pea Ridge, down to the last battle in this department, General Shelby refused to surrender his command, and with his men marched across the frontier and into Old Mexico to sustain the dying cause of Emperor Maximilian. He there tendered his sword and command to that ill-fated prince, but Maximilian perhaps then saw the end, and the generous offer was declined. Soon after this and in 1867 the

Emperor was shot to death at Queretaro, his unfortunate Empress, Carlotta, was sent to a mad-house, while Shelby and his men one by one returned to the States. Throughout the war that prince of the pen, the late Major John N. Edwards, whom I knew well as a loving and lovable character, was Shelby's adjutant. An account of Shelby's Army career came from the gifted Edwards many years ago, and is still celebrated throughout the West and South as a most interesting book, under the title of "Shelby's Expedition to Mexico."

True soldier as he was, after his return from Mexico, no one for a moment doubted the intense loyalty and earnest devotion of General Shelby to the constitution and flag of his country. While he was the U. S. Marshal for this district, it became his duty to protect some railroad property during a strike, and of course he did it. A personal and political friend of his, who was then Governor of Missouri, entered his solemn protest to this action and closed by demanding to be informed why he did so. This demand aroused the fighting blood of General Shelby. His first written answer was couched in the surt language of the soldier and read: "Go to hell!" but on reflection he modified this somewhat and wired back to the Governor this reply: "I am acting under the orders of Uncle Sam; ask him."

Many old Confederate soldiers came out to hear my address on "Egyptian and American Slavery, a comparison; Moses and Lincoln, a parallel," on Lincoln's birthday, February 12, 1897 (see Appendix). In going to the hall that night a friend told me that my friend Shelby was then reported dying at his home down in Bates County. So in opening my talk I had something to say to my ex-Confederate friends present, and then paid a tribute to General Shelby.

Shelby died next morning, and I feel that no apology is needed for here printing this letter to his widow:

*"Bereaved Madam:—*Standing alone within the darker shadows of the people's grief, as a private soldier who followed the Stars and Stripes, I desire to tender to the wife and children of the most gallant and courtly of the many distinguished officers who followed the Stars and Bars whom I have known, my earnest, heartfelt sympathy and tenderest condolence. I also thank you for the honor you have done me in selecting me as one of the honorary pall-bearers for your distinguished dead.

"'He is not dead, but sleepeth.' As long as those who knew and loved General Jo Shelby live, so long will he live in their memories and affections, and when they are gone, will survive in the memories of their descendants. So long as the English language is written, that long will the story of our great war be printed and read. Without the name of Jo O. Shelby that history cannot be written or read, for he is in and a conspicuous figure of that war. True, the lion heart has ceased to beat; the glorious eyes that flashed as those of the eagle upon the field of battle, that were happy as a laughing girl's in merriment, and melted to tears over the sorrows of the poor and oppressed, are now closed in death. True, the body now lies cold before us, but the heroic soul of Jo Shelby lives! So loyal was he to cause and commander; so imbued and inspired with the genius of military spirit; so active and eager, that when his spirit left the clay and took its place in that camp beyond the river where white-winged Peace forever reigns, and battle-flags are forever furled, the soldier-soul sought out the commander and asked the favor of an immediate assignment to duty. If bewildered by the sudden flight, he may have sought the Stars and Bars; but if calm and collected as I have known him, he sought the old Stars and Stripes. So while the great chieftain as we knew him will be known no more, yet I cannot believe that General Jo Shelby is dead. Of all the distinguished Missourians who knew and loved your soldier-knight, I have known but one who could have done full and complete justice to his memory—and Major John N. Edwards is dead."

After the General's funeral, I said this of him in the public prints of the day:

"During the Civil War I served as a Union soldier in the Eastern Army and had heard but little of General Shelby until, at the close of that mighty struggle, I came west and located at Gallatin, Mo. There one night, soon after my arrival, I heard one of his old troopers singing 'Shelby's Mule.' The memory of the rare old days of danger, daring, and glory, aided and abetted by sundry drinks of good old whisky, caused this rough-rider to throw his whole soul into that song with most charming abandon and enthusiasm, and I shall never forget the voice nor the manner of the man as he roared out the chorus of the song in these words:

"Hi, boys! make a noise;
The Yankees are afraid;
The river 's up, Hell 's to pay,
Shelby 's on a raid.'

"In cold type it will not appear startling, but to hear one of Shelby's men sing it under such auspices, any old soldier would halt and listen.

"In my soldier days I had done some tall marching, both after and before Jackson, Imboden, Mosby, Jenkins, and other Confederate commanders in Virginia; had been startled by their bugle-calls, alarmed by the 'Rebel yell,' and had heard their songs of defiance and triumph, but never heard anything like 'Shelby's Mule.'

"Later on, the more familiar I became with the war history of Missouri, as well as with the character and achievements of Shelby, the more I desired to meet and know the gallant soldier who could inspire in his men such loving devotion and heroism, and who, as the star, had played such a conspicuous part in war's wild romance and tragedy on the border.

"With all its trials, hardships, and dangers, there is to the soldier a charm and fascination about war that is absolutely unknown to all other walks of life. The soldier who has been through a war readily understands the attributes of that commander whose 'boys,' with smiles on their faces, with ringing and enthusiastic cheers, will follow him into the very jaws of death and storm the portals of hell if need be, and I think that no soldier ever knew him without recognizing such a commander in brilliant, dashing, sagacious, and gloriously courageous Jo Shelby.

"My desire to see and know the man was not gratified until we met at the Democratic National Convention at St. Louis in 1876, where I happened to be present at the first meeting between, and personally introduced, Shelby and Fitzhugh Lee. Each had been a fighter, a general, a leader of men, and each had been the idol of the men who followed him to victory or death beneath the Stars and Bars. But great as they were in camp and march and field, to me it seemed that in fair, gallant, courtly, and chivalric speech, as well as in their splendid interchange of soldierly courtesies, neither could have found any rival save in the other. Two valiant knights had just stepped out of the dim and distant past, met in the then present, and each at once recognized in the other a soldier and a gentleman, chivalrous, tender, tried, and true.

"From that time on to the closing scene I knew Shelby intimately. He was noble, manly, generously loving and lovable, with a kindliness and charm of manner seldom seen. Daring, dashing, terrible even as he may have been as a stern commander leading the wild charge to victory or death, yet in the charmed circle of home, or surrounded by his fellows, his heart was as that of a little child. An intense Southern partisan in war, with Shelby, as with all true soldiers, that war closed at Appomattox, its red fires became ashes by the terms between Grant and Lee, and then Shelby became so loyal to the Government of the United States that from the hour he buried the Confederate flag in the turbid waters of the Rio Grande, as he was going to Old Mexico from his native land on the fourth day of July, 1865, up to the hour of his death, Jo Shelby would as gladly have laid down his life for the Stars and Stripes as during the four years of war he would have laid it down for the Stars and Bars.

"When General Jo Shelby was mustered out of life in February, 1897; when his splendid soldier soul laid aside the body as a uniform, no more fitting—I was one of his pallbearers, and on the other side of the casket, just opposite to me, was that rugged, one-armed Confederate veteran, Colonel Elijah Gates, of St. Joseph. Bearing our burden with tender, loving hands out to Forest Hill cemetery, this grizzled and gray old Confederate colonel, who had kept step to "Dixie," and I, who had kept step to the music of the Union, again kept step, but this time together and to the "Dead March"; and together we mingled our tears over the casket between us, for it con-

tained all that was mortal of the dead soldier and friend whom in life we knew and loved so well."

JOHN H. SHOWALTER, Fremont, Nebraska: This name is well along in my alphabetical list, is not so familiar to the public as are the names of many of my military heroes, but he was my first Captain in 1861 and the next year was my Major. That a better disciplinarian, abler commander, more fearless soldier never wore the blue, is not so much to my present purpose as is the other fact that I want to talk a little on paper anyway and tell you of my experiences with just a few of "Showalter's boys," of our border-land troubles, and of those earlier days of war. With brave, sagacious officers in command, American soldiers will fight anything, anywhere. But when I speak of war, I refer to the big war of '61-5, and do not mean to underrate the men engaged in any subsequent conflict.

At the mere thought of our war, though, whether he wore the blue or the gray then, every veteran is liable to stop and think. The longer he reflects upon the days of his youth and his glory, the firmer becomes his conviction that, in some respects, he is not unlike old Lexington, the greatest horse of his day and the one which every Kentuckian worshipped. When long past all his usefulness and old and blind, Lexington was shown in the ring once more at the great Derby races, where he had won immortal fame. He was there being led around the inner track by a negro attendant; the band played "My Old Kentucky Home" while all the people cheered both horse and air. When he was directly opposite the grand-stand, the gong was rung and the starter shouted, "Go!" Then it was that old Lexington, forgetting his years, infirmities, and blindness, thrice dashed around the ring as of yore, dragging his black attendant along with him, while all Kentucky cheered

and wept. So, at the sound of the once-familiar command, the squeal of the fife, the rattle of the drum, or the bugle-call, the old soldier stands at "attention," in the tinkling bell of memory hears and answers the call, catches the step, and marches along to the music, in fancy, after all, only a boy again. From life's rosy morning until its golden sunset, the once soldier remains a "boy." While halting in his slow march to the bivouac of the dead to rest and dream and maybe sleep in the quiet hush of the wayside, the failing eye and faltering step of the veteran admonish him that the great column of human progress is ever moving onward—he is alone—the army is moving—has passed!

Showalter (no one ever dared to address him that way back in war-times) was born many years before I was, is no longer young, and to note his erect form and light step now, one wouldn't think he was verging on his fourscore years, but he is. The lowering war-cloud of early spring of 1861 found him as the first lieutenant of the Marion Guards. He was loyal to the old flag, but Captain William P. Thompson, the commander of that company, along with most of its members, espoused the Southern (or, as they called it, "the State rights") side of the impending controversy and were Secessionists. So, while the Captain was temporarily absent, one fine Saturday evening, Showalter marched this company out into a grove near by, and, as he had the lawful right and power to do under the statutes of the commonwealth of Virginia, mustered the whole command out of the service. This was at Fairmont, the seat of justice of Marion County, in what is now West Virginia. The State (really the Confederate) government held the complete military possession of our county until late in May of that year. Flags new and strange floated in the soft Southern breeze everywhere, and

it was only a few of the young and reckless who dared to wear, even concealed from the public gaze under lapels of coat or vest, miniature representations of the old Stars and Stripes. With plumes and banners gay, most of my boyhood friends, including my elder brother, promptly enlisted to fight in the war for the South, and Southern soldiers could be seen everywhere marching, counter-marching, drilling, shouting, and singing.

The first cannon-shot of our great Civil War was fired on Fort Sumter, in the harbor at Charleston, South Carolina, on the morning of April 12, 1861. America was startled, dazed, and shocked. The world knows the final results. But none save those who then lived upon the border line can ever understand or appreciate the force and effect which that act there had. All was doubt, unrest, dread, uncertainty there. The peace-loving people then chose the side upon which like a stone wall each was to stand thereafter. The good housewife forgot to spin; the farmer, professional man, merchant, workman, all ceased their efforts; the world stood still; war, nothing but war, was talked of or thought about. At last, under General McClellan, the Union forces came to the "Burnt Bridges," on the B. & O. Railroad, destroyed by the opposition nearby our home. When this glad news came, I recall now just where I lay beneath the shade of a chestnut tree near the house, how I arose and tried to give three cheers for the Union, and how the sound of my voice died away—I broke down and cried like a child.

Through all this trouble, the quiet, gallant, dapper Shwalter remained firm, but as alert as a terrier. Then he soon procured a recruiting commission from some unknown authority and enlisted his company, and in July, 1861, I became one of his "boys." The loyal ladies of Fairmont presented

us with a heavy and beautiful silk flag inscribed with the ringing words, "Be Strong, Be Brave, Be True." We learned to sleep on the soft side of the earth, drill, and become soldiers at Camp Carlisle, on the Island at Wheeling. This was only seventy miles from home, but at the age of sixteen I had never before been out of my native county, and while failing to express his happy thought in like language, yet I felt about that long journey as did one of our farm-hands who was later drafted and sent to the same camp, only to be rejected; for upon his return home he said to father: "I'll tell you what, Mr. McDougal, if this world is as big the other way as it is towards Wheeling, it's a whopper!" Showalter's men had the good or bad fortune to be out of the historic battles of the war, and throughout the trouble, as a veteran once said, "jist ht"; yet a large volume would not contain the personal experiences of old Company A, in the four-years war. So only a few of the many things that occurred to one private soldier of that company are here reproduced.

Early in September, 1861, Showalter took his company on a scouting expedition in our home county up near Worthington. The scheme was to fight a force of the enemy. Our command reached the scene a little after midnight, and all knew there was a Confederate block-house just over and protecting the gap in the hills. Later on an officer would have been court-martialed and dismissed from the service for the commands there given; but all were young in war then and everything went. When mustered in, I was No. 17 in the rear rank, and how I happened to be in front that night no one ever thought to inquire; but there I was. Our officers conceived the plan of capturing that block-house, filled with living, breathing, but then sleeping "Johnnies." So we deployed around it in single file, and at the command "Halt," given in

a whisper, the rear man stopped and looked and listened, with fixed bayonet and gun ready to fire. This alone was enough to scare a boy to death, and there is one I know of that the night came near finishing. When this block-house was thus surrounded, I was the last man left with the commanding officer when we reached the door, and the order was given me, still in a whisper, "Go in." With the sense, strength, and sand of maturer years, I don't now know what might have happened. To obey my superior meant sure death. I was not looking for that, and wanted to run. Home and friends passed in wondrously rapid review. The pride of a soldier and obedience to orders prevailed, and I entered. Black cats were never so dark as the inside of that block-house. A feather would have knocked me down, a cry of "Boo!" would have killed me. No one opposing, I grew brave and strong and lustily punched around with my bayonet. The enemy had fled; not a soul was in that block-house. In the congratulations of comrades, it was fortunate for me that darkness hid my still pale face and quaking knees. The "boys" never knew how near Company A then was to its first failure, and I never told them.

On January 1, 1862, our command was transported in cattle cars by the B. & O. Railroad over the Alleghany Mountains from Grafton to New Creek. Lordy, how cold it was and how the wind whistled on the summit! Through the rain and sleet and snow we marched the next day over to Greenland Gap on the South Branch of the Potomac, twenty-three miles. Tired, hungry, cold, we were ascending a mountain road that afternoon, when from the opposite side a Union woman displayed at a gable-window a tiny silken flag of our country. Led by Captain showalter, the boys lustily cheered this unexpected sight in the enemy's country until the old woods rang again with our shouts, and then for miles all marched

along as if on dress parade. That little flag represented the honor, majesty, and glory of our country and the boys were glad and gay again. At nightfall we reached and were quartered in the old Dunkard church at the upper end of the Gap. The "chinkin' and dobbin'" had fallen away and a yearling calf could have been thrown through its openings, but the big wood fires were warming and cheerful. In the advance guard on the march there, I had not felt myself, but never suspected the cause until the next day the boys carried me on a cot down the Gap and placed me in the second story of a white frame house just below the church, in charge of Brinkley Snodgrass, of our company, as my nurse—I had measles. For days they kept me there and that disease, so fatal to many soldiers, nearly killed me. My only nourishment was warm rye whiskey, fresh from the still, and from that day to this I have never taken kindly to old rye, although other brands have not been barred. The day before our command left the the Gap, a young lady sent me a cherry pie, and that was the first and only thing given me there that tasted like anything. When good old Brinkley had gotten the measles "out" and my condition demanded the most careful nursing, one early morning I heard a courier on horseback dash past our house on the National Pike and up to the church. My eyes were bandaged; I saw nothing; but told my nurse there was music in the air on some account. We heard the boys breaking camp, and just then a messenger rushed into the room and said: "Get ready at once for a forced march back to New Creek." "Stonewall" Jackson, with seventeen thousand Confederate troops, had come onto the South Branch at Romney, and by sending a detachment twelve miles, where we had to march eighteen miles, might have cut us off and captured our entire command. That caused the rush. Well, as the

boys were marching by, I was carried out and loaded into a farm-wagon, and we fell into the rear. Soon it began to rain, then sleet and snow, and with blankets and his own broad back Brinkley shielded me from the storm that day. I recollect every turn in the road, ill as I was, until we turned to the left and stopped for the night at the Reese plantation, within our lines at New Creek. From that hour the world was dark; I was delirious. When I became conscious, Shonwalter had placed me in a hotel in the town, and within a few days more sent me home to Marion County. He and everybody else thought I would die; but I was back again with the boys early in March, and here I am to-day. Out of this Greenland Gap experience arose many incidents, some of which are worth mention:

Probably no man in the Army of the Upper Potomac had as good a nose for whiskey as old Hall Fleming of our company. No matter whether we were in camp in the mountains, or on the march, or in imminent danger from the enemy, Hall smelled "red licker" from afar, and got it. He and two of the other boys stole out of the church past the guard at the Gap one night, went to a mountain still-house, and after amply supplying the inner man, started back to camp with a jug full of the needful. In the darkness, or other confusion, they hid this jug in the grapevines covering a stone fence, but could never locate the place. To myself and other good friends they often bewailed this loss, for the liquor was good. But a friend of theirs, John J. Chisler, of Fairmont, was shooting deer about the Gap only a few years ago and accidentally discovered and (I trust) utilized the remaining contents of that long-lost jug. It must have been nectar for the gods.

About ten years ago, I was taking depositions in the office of my lawyer friend, Silas H. Corn, at Cameron, Mis-

souri. He had served his country as a soldier about Greenland Gap, and I was telling him of my serious illness there and, among many other incidents, about the girl that sent me that cherry pie. "No, I cannot recall her name now," I said; "but it was Tabb, or Babb, or something like that, and Brinkley told me she lived just at the lower end of the Gap." Business over, I accepted his courteous invitation to dinner, and was there introduced to his good wife. When a girl, she had lived with her people just below the Gap; her maiden name was Miss Babb, and she proved to be the young lady who had sent me that cherry pie.

In 1880 I spent several months with my wife and children in the Alleghanies and, among other places, at Greenland Gap, where we were the guests of Adam Michael. He was the Union man who had hauled me in his wagon over to New Creek in '62, and seemed to recollect everything pertaining to the war. The house in which I lay sick was still standing, but the old church was gone, burned later in the war. One Sunday we went past its site up the road to see the deer in their park and pay our respects to our old Unionist friend, Mr. Idleman. This good old Dunkard was then blind and on crutches. After a general talk on war-times, Mr Michaels inquired: "Do you remember, Mr. Idleman, the first sick Union soldier we then had here at the Gap?" The sightless eyes moistened as the patriarch replied: "Yes, indeed, very well; he had measles down at Captain Schell's; he was very sick the day you drove away with him; I never saw or heard of him again, and suppose the poor boy died soon after he left." "On the contrary," said Mr. Michaels, "that boy did not die; he is back in this country with his family now, revisiting the old scenes, and the fact is that at this minute he stands before you." The crutches were thrown aside; the

withered arms of the old man were extended as he arose, and tears were in his unseeing eyes and tremulous voice as he simply said, "Come to me." All others silently left the room.

In March, 1862, two brothers named Barker, who belonged to the Confederate forces, captured a member of our company, named George W. Fleming, at his home near Texas, in my native county, and twice hung him up by the neck, but finally got drunk, and George escaped them, only to die from the shock.

When this news reached our camp at Fairmont, a squad of about twenty of us, under the command of Sergeant Baylis, were sent out to arrest the faction that captured our comrade; we marched up Tygart's Valley to the scene of the capture and in that neighborhood made the two Barkers prisoners of war. In charge of guards, they were started on foot to our camp, but were found dead at the side of the B. & O. Railroad tracks. The guards reported that the Barkers had started to run and escape, when they were shot and killed; but this I always doubted, and still think they were probably murdered in cold blood.

While at Barker's house on the bluffs, we saw a number of the enemy emerge from a house on the opposite side of the river and run into a nearby ravine *en route* to the main command beyond the mountain. One Confederate, more bold or with less brains than his comrades, ran straight up the hillside in plain view. Our command was drawn up in line and all fired at this fleeing "Johnny" except myself. My Minie musket only snapped. I put on a fresh cap, raised the sights of my gun to 1,000 yards, and fired. The man was by this time nearly half a mile away, across the river, and of course it was only a chance shot, but at the crack of the gun the man fell and rolled down the hillside in the mud—dead, all thought.

We improvised a raft, crossed Tygart's Valley River, ate our flitch and hard tack, and on our way over the mountain looked for the dead Confederate soldier in vain. We saw in the mud where he had fallen and struggled, and then by his tracks and blood followed his trail up to the fence by the woods; here, in the heavy rain, dead leaves, and timber, all trace of the fellow was lost, and we marched on to a cabin over the range. The elderly woman in charge gave ready permission to search the house, but said her daughter was very ill in bed, and only made the modest request that the search be conducted quietly for that reason. All this was done. On the bed we saw a very pale young mountain woman, as all supposed, and soon went on. In the little skirmish which followed the next day a Southern soldier, who cheered for his cause and for Jeff Davis, was killed. His name was George Cease and he had been a blacksmith at Boothsville. Then another Southern ranger, named Ashcraft, was shot and killed, and after this we returned to camp by the way of Benton's Ferry. After the war and in the spring of 1866, a man with a bad limp came to me at Fairmont and told me he had lately learned that my shot from across Tygart's Valley River had broken his hip in March, 1862; that for an hour or more he feared his wound was fatal; and that he finally managed to cross the hill, and that he was in fact the soldier who was then disguised as "the sick daughter" in that cabin over the brow of the mountain.

In May, 1862, on the Kanawha campaign and while our headquarters were at Roane Court House in Virginia, a lot of us were on scout under command of Captain Myers, of the 11th West Virginia Infantry. For three days, on corn meal and water alone, we had marched and skirmished and swore. After dark one night, we thrice attempted to scale a mountain

pass, but could not get through to attack the enemy in the morning, on account of the trees and brush which they had placed in our way. The night had grown desperately cold, but we dared not make a fire, for that was against orders and we were in the enemy's country. Hungry, cold, tired, discouraged, about midnight we lay down for a little rest on the banks of the Kanawha, covered only by overhanging clouds and rubber poncho tent blankets. The river was high and the gurgle and swish of its waters, the stillness of that dark, dismal night, are with me now. For once in my life, there was no ray of light in that night, and to me the whole world looked black. "Spooning" (as we had often to do then) with Corporal Bog-gess, and colder than charity, I whispered this to him: "Frank, if I were at home and had as good a place to sleep in as my dog has to-night, I 'd stay there and the Union might go to hell." In his quiet way, old Frank chuckled and said: "Never mind, my boy; it will probably be warmer for all of us tomorrow." And it was, for early we crossed the mountain and before night had three sharp little fights.

In 1893 I wrote up a full account of the second of these, under the title of "The Story of Lys Morgan," and it then had wide publication. Lys was an old school-boy friend of mine and was a Confederate soldier in that battle. We wounded and captured him. And there, too, I am sorry to add, I shot and killed my only man, as far as I ever knew, of that war. But we met in battle. It was his life or mine, and I shot first.

That in the wild tragedy of war the boys sometimes had a taste of comedy will appear from this further incident of the last fight of that Sunday: In our company we had one good, pious preacher, Corporal Morgan. He seemed very old to us then, but he must have been in his early forties,

and before the war had spent his time in reading his Bible, preaching the gospel, and shooting game. He prided himself especially on the fact that he was a good shot; but he was more, for he was a good soldier and sometimes gave us a good sermon. As the youngest and probably worst boy of our company, I had given this good man no end of mental worry, and he felt it his duty to warn me to flee the wrath to come and become generally a model man. Usually well toward the front, the afternoon found me among the stragglers at the rear of our party. As our command was marching around the brow of a mountain there suddenly came to my ears that rattle of musketry up in front which no soldier can ever forget, and, boy-like, I wildly rushed up and was soon in the thick of the fight. Even then the enemy had commenced slowly to fall back, and as I ran past I saw Corporal "Stevie" with a dead shot at a Confederate major, heard him out-swearing our army in Flanders, and at a glance saw why his musket would not fire—he only had it at half cock. Without stopping, I yelled to him to cock his gun, and on I went. Late that evening we halted for the night by the brink of the river and went into camp. Corporal "Stevie" hunted me up, took me aside, and said: "Henry, you overheard me use some mighty bad language at that last little fight we had back on the mountain." I answered: "That's all right, Corporal; under the same circumstances I would have said the same thing." "That's all right," he said; but quickly added: "No, no, no, I don't mean that, but you would have said it. Now, I want to make a bargain with you. You have not been the best boy in the company and I have often felt it my duty to reprove you, for I think a great deal of you; but no matter what you say or do hereafter, I'll not open my mouth about it, if you'll promise not to mention while I live the bad things you heard

me say back in that fight." Of course I promised, and we shook hands on it, rolled up in our blankets, and slept. Until death mustered him out of life no word escaped me concerning his soldier-talk on the mountain, and the peace between us was most profound. Only a few years ago, in my office here, I received from his devoted son, who was also a war comrade, a telegraphic message which told the sad (yet to me pathetic) story in these words: "Father found dead in his bed this morning. The finger of God touched him and he slept."

Long before he passed under the rod, every old soldier trusts that this little lapse of Corporal Morgan was forgiven, forgotten, and blotted out by a tear, as were similar words employed by that other good man, Uncle Toby. When the bullets were buzzing, not many soldiers ever stopped to consider whether the words they were likely to utter were learned in the Sunday-school. Indeed, this conviction of the boys was once voiced by Sergeant Antonio Raffo, of my regiment, when in describing to me a little battle led by Captain Larkin Pierpoint, of our Company E, he told me that the Captain swore dreadfully. I said: "Raffo, your description of that fight is all right except in this respect: Captain Pierpoint is a Methodist class-leader at home and doesn't swear." With blazing eyes, the doughty Sergeant exclaimed: "Dond't svear! dond't svear! how te hell coot he been a captain in a fight unt not svear?" This same Antonio Raffo was reared as a singer in his native Tyrolean Alps, served through the Crimean War in one of the ten Italian regiments, came to America and became a student of the gallant Colonel Elmer E. Ellsworth, entered our Army early in '61; and was the best drilled as well as the handsomest soldier in our regiment; sang like a bird, had a musical voice a stranger would turn to hear again, was an officer in the 17th West Virginia Infantry after my muster-

out, and is now a rich and retired old chap, living up at Seneca, Kan. From our war days up to 1906, I neither saw nor heard of my friend. Then I heard that an Antonio Raffo lived near, and at once wrote him, describing his rank, company and regiment, and his personal appearance and uniform on the morning he turned in his report at our headquarters late in 1863, and inquiring if he was indeed my old comrade. Soon after this a soldierly-looking old gentleman, with white hair and moustache, stepped into my office here and saluted. On the instant I exclaimed, "My old comrade, Antonio Raffo, by all the gods of war!" Our talk lagged at first, and the starting-point was hard to establish. We were like that German and Irishman who served in the same company in the war and for the first time since its close met only a short while ago. Being a little the quicker, the Irish comrade finally inquired: "Say, Dutchie, phat iver become of that Irish sergeant of our company, Pat O'Ruark, phat was kilt at Shiloh?" After smoking for a long while in silence, the German at last took his pipe from his mouth and slowly answered: "He vas still det alretty." But by and by Raffo and I blew all the dead ashes from the coals of the years, the old-timey camp-fire again blazed and smoked in the old way. Among other incidents, Raffo told me that he had lived near me ever since '66, and that for many years up at Seneca, at every soldiers' reunion or other gathering he there swung across the street, with a hand pointing down to his home, a long banner inscribed, "Free quarters and grub here for every comrade of 6th West Va. Inf.," and that in forty years I was the only man of our old regiment he had ever met. Then he and I fought it all over again, and again the war seemed real to at least two veterans. My own personal estimate may be too high, but it now seems probable that in the several millions of soldiers on both sides

engaged in our war, as many as half a dozen did not at least think "damit" in almost every fight; the others said it.

In the summer of 1862 we were ordered from the Kanawha country to Weston, Virginia, and there, at Bland's old Hotel, I was laid low for a few days with camp fever. My nurse was comrade John B. Tallman, who had come into Showalter's company at Grafton, in November, 1861, from the Alleghany Mountains up in Barber County, and who knew and performed every duty of a soldier without one murmur. He was not learned, did not know what fear meant, and was a natural-born nurse. Officers called to see me, but they embarrassed John, who only yawned and cracked the joints of his fingers. He went west after the war, and I knew only that this great, good soul lived somewhere out in Kansas; but while we had not met, yet neither had forgotten. In January, 1898, our eldest son, Harry, died at twenty-three. David did not worship Absalom more than I this son, and to me he was as perfect, yet without the faults of the king's favorite boy. Just before we laid him away out at Forest Hill Cemetery, I was alone in our parlor, for the last time, with all that was left of this fair and favored son. The portières were drawn, the doors closed, and I was thinking of all the dear dead boy had been to me and of what he would have been, when there came a touch at my elbow. I looked around, and there stood old Tallman! He took my proffered hand and, in his quiet, simple, mountain way, only said: "I saw by the paper that you were in trouble, and I come to you now just like I went to you in the war."

While we were encamped up the river and across from the present Weston Lunatic Asylum, our scouts brought in the usual exaggerated report that the enemy, 4,000 cavalry with a battery of artillery under command of General Albert

G. Jenkins, was rapidly approaching our camp. The Confederates probably had 1,500 men, while our fighting command numbered about 400. With their usual bluster, the commanding officer said: "Stand your ground; fight till hell freezes over!" and we poor devils could only obey. We were under arms all night, and everybody looked for a great battle. The preparations for fight went on. Before daylight in the morning, as I now recall it, of Sunday, September 1, 1862, I was placed in command of the west end of one of those long covered wooden bridges, frequent then in Virginia, with a small squad of men, and told to hold it. We barricaded our end of that bridge and watched and waited. At last, we heard the Confederate cavalry dashing up the main street of the town, heard the clatter of their horses' feet, the rattle of sabers and guns as a detachment of them swung around the old Bailey tavern and down toward our bridge. We heard everything, but saw nothing, for it was still dark. On they came, and the firing commenced. This was getting rapid and hot; but our men there were cool, collected, and thought of nothing but fighting it out until we could fill that bridge with dead and wounded horses and men. Personally, I never felt better; the men were doing splendidly and all was going just right. Without a moment's warning, however, an order came from our commander just then: "Cease firing and fall back to the hill-top west of the Asylum." In the twinkling of an eye, that order made an arrant coward of every man at the bridge. Just how it all happened I never knew, but I do know that of our squad I was the first man on the top of that hill; and, to employ the words of some other retreating soldier, the only reason I ran was because I couldn't fly. Lord, but I was scared stiff! Just as officers were re-forming our scattered command in the woods on the top of that hill, the early morn-

ing sun tipped its tallest forest trees, while our camp was enshrouded in the heavy fog which overhung like a pall all the valley. But from present danger we were safe there, and I breathed easier. The sound of bugle-calls and the tramp of their horses convinced us that the enemy were on every public road leading out of Weston; and from their shouts we knew they must be burning and destroying our abandoned camp. Darkness was below, but by this time we were in the broad sunlight of the hilltop, and I happened to stroll away from the boys, down into the blue grass of the open, heard bullets hit near me, but saw nothing, and was cursed back into ranks by an officer. Then came the order to fall back to Clarksburg; twenty-three miles away. Right there on that retreat we did the one great stunt of our soldier lives in tall walking to Clarksburg; but we made it before nightfall. Our losses in killed, wounded, and captured were trifling, those of the enemy even less, and it turned out later that General Jenkins only made that raid to secure recruits and horses, and really cared but little for men.

Only a few years ago, in traveling eastward on the B. & O. Railroad, a mild-mannered, genial-faced gentleman boarded our train at Clarksburg and happened to sit alongside of me in the crowded Pullman. From the pleasant conversation which followed, I soon learned that he was a lawyer, always lived at Weston, and had been a major in the Confederate service in our little brush there in '62; while he, of course, found out that I was also there and on the other side. In relating many incidents of that engagement, the Major said: "The most amusing memory of the war occurred there that morning. When you Yanks retreated to the top of the hill back of the Asylum, you all were in the bright sun, while we were in the fog at your camp. We could see the sunlight

flashing on your brass buttons and bayonets, but you could not see us. Well, sir, while we were raising the devil generally and burning your camp, sir, a dam fool boy strayed off from your command and stood alone, gaping down toward your camp in the foggy valley. We fired at him singly and by platoons, but he stood there unconcerned for a long time, and finally rejoined your command just before you commenced to retreat." Laughingly I replied: "You are right, sir, in all of these details, but you will pardon me, for I was that dam fool boy."

Among the 101 young Virginians who enlisted under Captain Showalter, was Charles D. Baylis. He was born and reared over in the Shenandoah Valley, near White Post. Like myself and many others of that company, his people had been slave-holding planters and he was Southern in all else, save politics, while most of his people went South. His rare geniality, unfailing good humor, and devotion to country and flag were superb. With us the sole question was: Is the Union or the State supreme? Right or wrong, and how it all came about, are outside the question now; but we decided for the Union early and fought it through. After the war, Baylis drifted westward, became a cattle king in the Black Bird Hills of Nebraska, there married an educated, sweet-faced lady member of the Omaha-Osage tribes of Indians, and died there in 1886. Since then I have often met, fished with, and been employed as a lawyer by his widow and their two sons, now down in Oklahoma, and only two years ago visited the grave of my old comrade in the cemetery up at Pender, Nebraska.

The last Confederate raid through my native county was composed of cavalry under the command of General Jones. This force captured our county seat on April 29, 1863. Ser-

geant Baylis at that time happened to be in command of a squad of about 40 enlisted men of my company at the bridge which spans the Monongahela River a mile above Fairmont. Hearing of the near approach of the enemy, Sergeant Baylis added to his soldier command a large number of Home Guards and defended the strong position he had taken with such splendid skill and ability as to repulse every Confederate charge from early morning until late that afternoon. Milton Welsh, who is now a prominent citizen of Kansas City, told me only the other day that in that Fairmont fight he was a cavalry captain in a Maryland regiment and there commanded in three separate charges upon our position, only to fall back as often. In the afternoon, however, a Confederate battery was planted on the hill across the river, and, as it could easily rake our position, Sergeant Baylis knew the annihilation of his people must be the result and discreetly ran up the white flag. Noting the surrender, General Jones gave the curt order, "March the Yanks down to the Court House," and he and his staff officers galloped away. In half an hour after they were there seated at the counsel table, in command of his variously clad soldiers, home guards, militiamen, and citizens, Baylis marched into that temple of justice, saluted Jones, and formally surrendered for parole, when this colloquy ensued: "Who is in command of the Yankees?" inquired Jones. "I am, sir," answered Baylis. Glancing at the veteran's chevrons, but not believing his eyes, Jones next asked, "What is your rank, sir?" And to this Baylis saluted again and answered, "I am a sergeant, sir." General Jones looked the stalwart soldier over from head to foot and then slowly said, "By God, sir, you ought to be a general!"

I still have a copy of the roll of our old company set up and printed in a captured and abandoned newspaper office

at Weston, Virginia, when we got there off the Kanawha campaign in July, '62. This work was then done by Joe Gehring and George Greiner, two bright printer boys of our company. Poor George was later killed in one of the battles around Winchester in the valley, but that might have happened to any of us, as we knew at enlistment. This roll is now yellow with the years, but we shared our beans, blankets, and hard tack with these boys and I am glad I kept it, worthless to others, priceless to me. I could to-day take it up and relate many a true story of every man there, from captain down to wagon-master, and each would be of interest to old soldiers; but who else would now read or understand it? No one, save a few mere wrecks strewn along the banks of the ever-broadening, deepening river of human life. But as a few of the old boys, and the descendants of many, are still living, in their memory I here reprint that roll;

ROLL OF COMPANY A, SIXTH REGIMENT, VIRGINIA INFANTRY VOLUNTEERS (UNION).

WESTON, VA., July 24, 1862.

OFFICERS—COMMISSIONED.

JOHN FISHER, Captain.

JOSEPH N. PIERPOINT, 1st Lieutenant.

JACOB F. GREINER, 2d Lieutenant.

OFFICERS—NON-COMMISSIONED.

Philorus B. Compston, Orderly Sergeant.

DUTY SERGEANTS.

George D. Black, 1st; Harmar F. Fleming, 3d;

Jabez L. Hall, 2d; Charles D. Baylis, 4th.

CORPORALS.

Stephen Morgan, 1st; B. Frank Boggess, 5th;

Benjamin F. Coogle, 2d; H. Thornton Fleming, 6th;

Andrew J. Toothman, 3d; Ben. Sed. Pitzer, 7th;

Isaac Moffat, 4th; Sidney W. Satterfield, 8th;

MUSICIANS:—Aaron Thorn, Fifer;
James W. Showalter, Drummer.
WAGONER:—Wesley Davis.

PRIVATES.

Bail, Benjamin P.	McDougal, Henry C.
Black, John L.	McElfresh, Theodore T.
Boyd, James.	Megill, David F.
Brown, Richard P.	Mellor, Frank.
Bunner, Presley.	Menear, William B.
Carder, John.	Morgan, Jeffrey J.
Carder, Thomas.	Morgan, Oliver P.
Clark, George	Powers, John T.
Coogle, John.	Prichard, J. Newton.
Constable, William.	Prickett, Thornton T.
Dawson, Alpheus.	Reynolds, Joel B.
Detrow, George.	Satterfield, C. Frank.
Downey, Eli.	Schoudt, Jacob.
Eyster, Charles C.	Shahan, James.
Farrell, Daniel.	Shahan, Minor.
Ferel, Hial C.	Shearer, Francis M.
Fisher, Wesley.	Shearer, George E.
Fleming, Charles I.	Shore, Raymond.
Fleming, George W.	Shroyer, Alexander I.
Fleming, John E.	Sipe, David T.
Fleming, Josiah W.	Snodgrass, Brinkley M.
Gehring, Joseph T.	Stansberry, Justus H.
Griffin, William.	Steele, Samuel.
Greiner, George O.	Sturm, J. Lee.
Hawkins, Frederick.	Sultzor, Amaury De La.
Hershberger, Joseph	Thompson, James.
Hewett, Hiram.	Tallman, John B.
Hill, F. Marion.	Toothman, Eli B.
Hoult, Elijah H.	Toothman, Waitman D.
Jones, Andrew.	Turner, James W.
Jones, Sanford.	Upton, James Riley.
Knight, F. Marion.	Vincent, Riley.
Lambert, Joseph H.	Waldron, Patrick.
Lane, Albert G.	Weatherwax, Edwin G.
Largent, George.	Wells, William D.
Loudon, George W.	Wilson, John R.
Mallory, George K.	Wilson, Nuzum S.
Martin, Joseph A.	Winesburg, Samuel

Martin, Merryman A. Wolford, James.
 Martin, Samuel L. Wright, Henry C.
 Yates, James K. P.

DEAD:—Cornelius B. Carr, Joseph Cunningham, William Dodd, James Swisher, Marshall Yates.

DISCHARGED FOR DISABILITY:—Anthony C. Boggess, Robert Hughes, Eli Hawkins, James McCalister.

Our company was enlisted at Fairmont, in Marion County, Virginia, in July, 1861, and mustered into the U. S. service "for three years or during the war" at Camp Carlisle, Wheeling (Island), Virginia, on August 6, 1861.

OUR FIELD AND STAFF OFFICERS ARE:

Colonel—NATHAN WILKINSON.
Lieutenant-Colonel—JOHN F. HOY.
Major—JOHN H. SHOWALTER.
Adjutant—ZENAS FISH.
Quartermaster—WM. H. ADAMS.
Surgeon—ERASMUS D. SAFFORD.
Assistant Surgeon—JOHN T. WHARTON.
Chaplain—EBENEZER MATHERS.

Our ancient negro friend, John Jasper, of Richmond, Virginia, preached loud and long to convince mankind that "the sun do move"; but the old soldier recognizes the controlling facts: that the world and the people in it will always keep on moving; that life is broader, better, longer than it once was; that while vanity or position often fathers the false assumption that he is still a governmental factor, yet that neither the old soldier nor any one else has ever really been a necessity to the Republic. No one individual, at any time, is ever essential to any human government. Without him the wheels continue to revolve and "the smoke goes up the chimney just the same." So it will be until, "with his right foot upon the sea, and his left foot on the earth," man's good angel proclaims that time shall be no more. But the veteran may still console himself in repeating this solar-plexus blow administered by an

old comrade to a young chap who twitted him on his age: "Yes, that 's so, but I 'd a damsite rather be a has-beener than a never-waser." The perversity of the old soldier is still very human in its cussedness; he still feels impelled to do that which is forbidden; say to him, "Thou shalt not," and straightway he rebels and does it. Maybe that 's why so few obey the commands of the decalogue.

Looking back, too, it seems I knew not only every man in my own regiment, but many others as well. To be near most of them again, I now turn into and gaze upon graveyards, for only a few of us are left to march the weary rounds of earth. Maybe you never stop to think about it, and no blame attaches to you for that, the time is now so far away; but long service in actual war brings to the front or conceals every angle in the soldier, so that at muster-out the world may easily recognize either the cringing coward or manly man in every survivor. The boy too good to sneeze out loud when he enlisted was liable to develop into the most expert chicken thief of his mess, while the meanest and lowest often became the best soldiers and later on the most carefully patriotic citizens. But I must tell you just this one more incident in the life of one of our Company A boys, and then I 'll quit and go at something else. This comrade is Benjamin Sedwick Pitzer. We were reared on adjoining farms and while boys attended the same schools; he became my superior officer during the war, for we enlisted in Showalter's company on the same day, he became a corporal, and since the war has lived on his farm out in Kansas, while I remained a private. In 1888 I had to take depositions out in Colorado, and wrote old Sed that on returning I would stop at his place and we would again spend the Fourth of July together. He met me at the station and drove me to his home. His wife and daughters were devo-

tion itself and gave me a royal good time, but he and I talked of the past and naturally arose late in the morning. That was July 4th and the day we two were to spend together in the woods nearby. I noticed that many things were out of place and it was nearly noon when we left his house in the carriage, but never suspected anything. We passed two or three good camping-places in the timber and in vain I urged the stop and the talk. At last he drove me into a beautifully wooded grove in which were already many hundreds of people, and at its entrance a printed poster as big as a barn door announcing their great 4th of July picnic and myself as the orator of the day. Seeing that he had again tricked me, I said to him: "Now, look here, my boy, I never made a Fourth of July speech in my life, don't know how, am too old to learn now, and what's more, by the holy Moses, I won't attempt it!" He saw that I was in earnest and told him the truth, but urged me to "make just a little talk anyway." His theory was that a lawyer had only to open his mouth and it would be filled with good things; while mine is, to prepare, study, think, and then instruct as well as entertain. Still protesting that I would not make a speech, threatening to tell those people of all the mean and funny events of his life from his birth to that date if he dared to call me out, I finally agreed to make a short talk. Drove of people came in, the grove filled up, the crowd was called to order, and the Declaration of Independence read. Then the "orator of the day" was called for, and old Sed and I went together upon the platform. Frankly and fully I told them just how I had been entrapped and spent the first twenty minutes in describing, with many additions, all the cussedness of that boy, from his youth up. Mention of the day we celebrate, and of the Revolution, and the Declaration, were all purposely omitted. But, to the delight of the crowd, my old

friend was then and there crucified in due and ancient form, and he had to take it all. Hundreds of old soldiers were in the audience, and after talking of country and flag and past days, I warmed up and repeated a true story of how, after a little skirmish we had away back in March, '62, I lay on the field one morning, so weak from loss of blood that I could not march with the boys and carry my gun and knapsack; how a comrade first carried my accoutrements and helped me across swollen streams and mud-holes, and finally took up on his broad back and with a giant's strength carried me for miles and miles out of the ground of the enemy toward our own rendezvous. By this time the audience was in tears and I was near it; but knew the speech was great. When at last the name of that comrade was given as Benjamin Sedwick Pitzer, some old soldier cried aloud just back of me, and I broke down. For minutes I paced back and forth on that platform, trying in vain to pull myself together so that I could finish. But memory and emotions were too strong. I could not utter a word, and tears were coming. So I left the platform and walked away off and sat down in the shade of a tree to cry it out. There an arm was thrown over my shoulder in silence. As best I could, I looked around to see who was by my side. It was old Sed Pitzer, and he too was in tears.

In the summer of 1862, Captain Showalter was promoted to be our major and became the commander of the regiment, for Lieutenant-Colonel John F. Hoy was then on staff duty and our colonel was in command of our brigade. John Fisher then became our captain, and Joseph N. Pierpoint and Jacob F. Greiner were our lieutenants.

Four national holidays came and went during that war, and in three of these I was in the Army. In notes of my own personal reminiscences of the many red-letter 4th of

Julys, written some years ago, I had a word to say of each of these four days, and here reprint these notes:

"1861: Celebration at Farmington on Baltimore & Ohio Railroad, four miles from home. The Big War was on. The Army post there was in command of Captain Dodd, Co. B, 3d Ohio Vol. Inf. Flags flying, drums beating, bugles sounding all day long. Captain Dodd and his men all college graduates, scholars, and gentlemen. They made the speeches of the day—speeches breathing patriotism and loyalty to country and flag. A dance in the afternoon—the first regular, well-conducted dance I ever saw. (I enlisted on July 27, 1861.)

"1862: Encamped at Spencer (Roane Court House), Virginia. Made a forced march through the enemy's country from Spencer to Jackson Court House (distance 36 miles) *en route* with prisoners of war, captured in the then pending Kanawha campaign, to Ravenswood on the Ohio River. The hottest day and the longest, hardest march of the war for me. (My recollections of this day printed in full in *Kansas City Journal*, May 30, 1893.)

1863: Near Fairmont. Our company, with a company of New York engineers, stationed at Long Bridge, one mile above Fairmont (just made *West* Virginia in June of that year), on the Monongahela River, to protect the bridge (wrecked by the Confederates in the Jones raid of April 29, '63) as well as the surrounding loyalists. The celebration was just above the bridge on the opposite side (right bank) of the river from our camp. The address of the day was made by the Rev. Moses Tichenel. The only thing I recollect about it now is that when wide open the speaker's mouth was *square*! The afternoon was spent in swinging with the many pretty girls then and there in evidence, in a great swing that in its vast sweep carried us out over the beautiful Monongahela. The evening was spent in sailing on the river, with these same girls, in a then famous boat made by these New York engineers. Upon the return of the entire party to camp at

about ten o'clock that night, the telegraphic dispatches brought us the first news of the results of the glorious victories of our armies at Gettysburg and Vicksburg and the camp went wild with joy. One of the impromptu speakers at that jollification made a hit by asking: 'To whom shall we *Grant* the *Meade* of praise?' That speaker was Jacob F. Greiner, then the second lieutenant of my company—a brainy, scholarly German.

"1864: Stationed at Clarksburg as the chief clerk of the brigade in the then Department of West Virginia, commanded by my colonel, Nathan Wilkinson, but at home 'for the Fourth' at Fairmont. Of all the many occurrences of that day, I now recall but two things that left a vivid recollection: First, that I was in full uniform, resplendent with brass buttons and gold braid and 'cut a wide swath' among the girls; and second, that my elder sister Margaret (Megill) severely rebuked me for neglecting an old sweetheart and devoting so much of my time to the new. They were both lovely girls—the old a blonde with most beautiful golden hair and perfect teeth; the new a brunette with a charming laugh, superb eyes, and corkscrew curls hanging over her neck and down her back. Perhaps those curls won my youthful affections for the day, but I don't now recollect certainly."

The old 8th Corps later became a separate command under the designation of the Army of West Virginia, and when Major-General George Crook was there in command, Captain William McKinley was a member of his staff. When the Society of that Army held its twenty-third annual reunion at Fairmont, in September, 1900, Captain McKinley and I were both invited to deliver addresses, for we were members of that society and lawyers who were supposed to be somewhat accustomed "to speak in public on the stage." The real reasons no doubt were, that the Captain was then President McKinley and I a native of Marion County. Official business kept the Pres-

ident at Washington, and I declined because of a previous engagement in Kentucky. But business ended much sooner than anticipated, and I reached Fairmont on the morning of the last day of that reunion, just to see the boys, and not to speak, for I had declined that honor and had prepared nothing. It happened, however, that I was advertised for a speech that forenoon, and to follow that eloquent, impassioned orator, George W. Atkinson, who was then the Governor of West Virginia. Without a minute for thought or preparation and against my most solemn protest, the boys hustled me onto the platform before about 8,000 people. Back in war-times nothing kept me from running like a jackrabbit more than once, except my pride, and that attribute again kept me in the ranks at Fairmont. How, in the providence of God, I happened to stumble on reminiscences of '61, as the chairman, my old friend and comrade, Captain Ellis A. Billingslea, was presenting me, I don't know to this day. After the stage fright wore away, I got my breath, and the stenographer's notes, just now received by mail, show I closed this way:

"Comrades, did you ever reflect that for four long years we were actors?—actors in the grandest, greatest drama the history of the world has ever seen? We had half a continent for a stage and played to a world. We were simply members of an army numbering nearly three millions of men in blue, and our destinies were moulded and guided by that eminent soldier, Ulysses S. Grant. (Applause.) The other forces, who wore the gray, were commanded by the scarcely less eminent soldier, Robert E. Lee. While the great resplendent star which ruled over all, which guided and controlled our armies and generals alike, was Abraham Lincoln. (Cheers.) Whatever of success I have attained in life, whatever of glory, honor, or fortune I may have achieved, was attributable to the only period of all my life of which I am

proud to-day, and that is my service as a private soldier in the Union Army during the Civil War.

"Now, comrades and friends, far be it from me upon an occasion like this to say aught that could be tortured into a political reference. I believe with the gifted Kentuckian, and I have practiced on the belief and do to-day, that my country is as high above my party as are the stars above the dust! (Cheers.) I believe the time is now at hand when every man who wore the blue and every man who wore the gray can stand under the light of heaven and say: 'No North, no South, no East, no West; but UNION now and forever!' (Applause.) I just see now over there my old friend, John Veach, of Dunkard Mill Run. He has been my friend since I was a little bit of a boy, and I recollect one time I was left sitting near his house out on a rock one dark night while John and some other of the older boys went home with the girls; and I was nearly scared to death by a screech-owl in the limbs of the tree above. Well, we have the same kind of birds of evil omen with us to-day, hooting and making night hideous—and day too, for that matter. But, as God is my judge, I believe they are just as harmless as was that screech-owl up at John Veach's. (Loud cheering.) Washington was under their influence to a certain degree at Valley Forge, Jackson at New Orleans, and they troubled, as we all know, the great soul of Abraham Lincoln. But, as I say and as I believe, the croakers are harmless.

"When Washington unfurled the Star-spangled Banner, he said it should wave, and wave in triumph for a thousand years. I believe in the young men of our country. The boys here (God bless them!) are the hope of the country, because on them will rest the future of our country. The young men of the country sustained Washington at Valley Forge and Yorktown; young men sustained Jackson, Grant, and Lee; and I believe that if the young men of America are as true to their flag and their country as the men of the past

have been, that old flag will not only wave a thousand years, as predicted by Washington, but will wave till Time shall chase the crumbling world out over the broad quicksands of Eternity! (Prolonged cheering.)"

That most old soldiers are without experimental knowledge of the joys and sorrows of young manhood, and seem to have jumped directly from boyhood into old age, is accounted for in this way: We went to the front as mere boys; in the Army had to and did assume and grapple with duties and responsibilities of mature manhood; at muster-out took up the practical realities of relentless life among our fellows, and never once stopped to think of the flight of time.

Business of a political nature again calling me to the national capital late this year (1909), the occasion was made one of pleasure as well, and pleasant stops were made at various places. First at Springfield, Illinois, where the vast historical collections relating to the eventful life of the great Lincoln were seen and studied with pride, interest, and profit, from the Lincoln home to the Historical Society rooms in their capitol building. My next stop was at the seat of justice of my native county, Fairmont, West Virginia. Here I enlisted in the Union Army, but during my stay met but two members of our company that went to the front in July, '61—Captain John Fisher, who was then our first lieutenant, and Charles C. Eyster. From Fairmont to Clarksburg by trolley was a pleasant ride, and there I met many men and women whom I had known when stationed at their military headquarters in '63-4, in the effort "to put down the Rebellion." Two of my anniversaries (December 9th) were spent in that town—in '63 and '09—but there is a big difference between nineteen and sixty-five. Among my birthday presents this year was a copy of "The Daughter of the Elm," an historical novel of long ago,

with the scene laid in old Marion County. In war-times I often saw this same great elm tree and only the other day on the trolley passed right by its well-preserved "stump." When a boy I knew personally some of the characters portrayed by the writer of the book and then heard the story of nearly all the rest. At my next stopping-place, the B. & O. Railroad junction, about the only two things I saw that time had not changed were the Grafton House and the old sycamore tree on the river bank, where I had tried to murder by long boiling in a camp-kettle the first installment of gray-backs that got into my Army shirt in the fall of '61. Our old camping-ground was covered with houses and streets, which also encroached upon the adjacent hills. Indeed, one of the many changes I noted in West Virginia was that since the war towns and villages with from 500 to 1,000 population have grown to be cities of many thousands; everybody seems rich and prosperous, while many that I once knew as poor boys have retired from active life in ease and affluence, as the result mainly of their wealth of coal, gas, oil, water, and wood. People there do not rush and rustle as we of the Middle West, but the natural resources of their country force riches upon them all the same.

Since the war I have often been over the old stamping-ground, but always flattered myself that I was in too much of a hurry to study these familiar scenes. But by this time I had learned that my habit of rush and hurry was but one of the many errors of earlier years, and so I left home away ahead of time, traveled leisurely by easy stages, made frequent stops, and "on the old camp-ground" especially took the time to see and know in the light of day. Over the old B. & O. Railroad in this way, from Wheeling eastward to Harper's Ferry on the way to Washington, from the Pullman car window, I again passed through the historic towns of Grafton, Oakland,

Piedmont, New Creek (now Keyser), Cumberland, and Martinsburg, and in a lazy, comfortable sort of way, and without a shadow of fear of either my superior officer or the enemy, saw many places where I had camped, drilled, marched, fought, and sometimes run, away back in the days when I went soldiering. One of the many familiar and interesting sights on this trip was a large rock on the line of the railroad bearing this historical legend: "Rosby's Rock. Track closed Christmas eve, 1852." In constructing the road, its main track was laid westward from Baltimore; but to gain time its projectors also laid track eastward from Wheeling for about twenty miles, and the rails were joined at Rosby's Rock. One of the many schemes of George Washington was to join the Atlantic Ocean to the Gulf of Mexico by dredging rivers, with locks, dams, and canals on the Potomac, Youghiogeny, and Monongahela, to the Ohio River. This was then known as "the Potomac scheme," and on its realization the great Washington worked, studied, and planned for many long years. So it came about that this great railroad had its origin in the fertile brain of the Father of his country, and when the tracks of the B. & O. Railroad were closed at Rosby's Rock, his dream came true; not in the way he hoped and wrought, for he dreamed of waterway transportation, while the builders of that road attained the same result by the more modern method of connecting the waters of the Atlantic and the Gulf by a steam railroad.

JOSHUA THORNE, Kansas City, Missouri. Born in England, reared and educated in the South, the outbreak of the Civil War found Dr. Joshua Thorne in full practice as a physician and surgeon at Kansas City. His kindred adhered to the Southland, but he was always true to country, flag, and constitution. So he became, and throughout the war re-

mained, in full charge and control of all field and general hospital affairs at and about Kansas City. When the war ended, no man did more to cement and make strong and great the Union of all our States and peoples.

His reading was extensive, he thought much, was a willing student of Moses, Buddha, Confucius, Zoroaster, Mahomet, and Jesus of Nazareth, and, professing neither creed nor dogma, he culled the choicest bits of wisdom and philosophy from all these, as well as from every other attainable source.

We were long members of the same G. A. R. Post in this city, and soon after his death on June 12, 1893, Major Ross Guffin, Colonel Theo. S. Case, and others presented at our Joshua Thorne memorial meeting most tender and loving resolutions and talks respecting the life and character of our dead comrade. As the chairman of that meeting, I then responded, and, among other things, said:

"The attempt to add aught to the beautiful tributes of Major Guffin, and other comrades who have so long known him whose memory we honor to-night, would, I know, end in a fruitless effort to gild refined gold. Thoughts and language alike fail me. But I must add some poor tribute to the memory of my dead friend.

"Living, I enjoyed his friendship; dead, with pleasure I now recall the fact that when overwhelmed with the sorrows and cares of others, when so over-worked and weary that consecutive thought was as irksome as the task of the galley-slave, for years and years it was my custom to close books and desk and seek that never-failing source of restful and recreative light and life, and therefrom draw such comfort and consolation as rarely comes to man, save from heaven.

"Once in his presence, the simple question upon any given subject was sufficient to put into active, intelligent, soulful motion the delicate yet powerful machinery of his clear, log-

ical mind; whether the problem related to men or measures, history, morals, religion, poetry, philosophy, or what not, he was equally at home; 'like some vast river of unfailing source, rapid, deep, exhaustless,' his lofty thoughts and wondrous theories unfolded as the opening of the rose, and found incisive and intelligent expression in language so lucid and so strong that the mists cleared away, darkness became light, and crooked things straight.

"So, after the opening of the subject, often have I thrown myself upon his couch and in dreamy enchantment listened while with learning, wit, wisdom, and eloquence he for hours and hours, like the sage and philosopher, discoursed. And so instructive, refreshing, and soothing these conversations that to me indeed were they 'as the dew of Hermon, and as the dew that descended upon the mountain of Zion.' Many a time when thus soul-oppressed has 'he brought me up also out of an horrible pit, out of the miry clay, and set my feet upon a rock and established my goings.'

"Into the care of but few of the sons and the daughters of men has the Beneficent Giver of all good entrusted such subtle power, with touch so light, magical, and gentle, to smooth out all the wrinkles upon human heart and brow. Indeed, in raising up the bowed down, healing the broken-hearted, removing burdens of the weary and heavy-laden, such an adept was Comrade Thorne that, reflecting now upon the softening, tranquilizing influence of his words of healing and of balm, I recall in all history but one adequate comparison, and that in the effect produced when upon the troubled Sea of Galilee the Master stood forth and said, 'PEACE, BE STILL.'

"It was always good to be with him. One might enter his presence feeling that the world was cold, practical, cynical; yet never left it without a higher appreciation of race, kind, and self.

"Dr. Thorne's attainments were at once rare, varied, and vast; his intellectual grasp and powers of analysis marvelously

rapid and accurate; his soul and his imagination poetic and sublime; yet, from these apart, an irresistible and characteristic charm lay in his wide charity, modest generosity, his high moral, mental, and physical courage. His heart and hand and purse were always open to the needy and destitute, and he was, through sunshine and storm, in all the troublous times of the past, so true and loyal to his convictions, country, and friends that, while honored and respected by all, yet those who knew him best either loved or feared him.

"Doubt or ambition, hope or fear, might cause others to waver and shake as a shadow; but firm as an oak, in the presence of friends and enemies alike, stood our dead friend.

"His large and sympathetic heart encircled humanity; his genial presence threw off rays of purest, sweetest sunshine; with lavish loving hand he showered gifts upon the poor, and the beneficent influence, in the years that shall be, of that generous heart and hand, who can measure? How apt the familiar illustration of the pebble into ocean cast! First dapppling up the water, then creating tiny circles that greater and wider extend until at last they break upon the farther shore. As carelessly as the little boy casts a pebble into the water,, and as little heeding the ultimate result, did Dr. Thorne perform an act of kindness. The same impulse moved each, and if asked 'Why?' each would probably have returned the answer, 'Just because I wanted to.' But so many did his strong, brave words of wise consolation lift up, so many his benefactions, so genuine, gentle, and effective his deeds of kindness, so prolific in lasting good, that the influence of his hand and heart and brain will be felt until the Ocean of Eternity shall sweep the Island of Time into oblivion. 'Ulysses is dead and there is no one in all Ithaca to bend his bow.' Honor to the memory—peace to the ashes—rest to the soul of Joshua Thorne."

NATHAN WILKINSON, Wheeling, West Virginia. This Quaker-fighter-business man was born in New Jersey a long

time ago and died at his home in Wheeling in 1889; but during the war he was the colonel of my old regiment, commanded a brigade toward the close, and my last year in the Army was spent as chief clerk of that brigade; during all this time we were closely connected in war matters, as well as socially, I came to love and revere him as my military father, and I cannot pass him by. For to me, an unlettered youth from the farm, he was throughout life the embodiment of all that was good, noble, generous, learned, wise, dignified, able, and fearless in man.

As a close, sagacious, successful, accurate business man, I have never yet found his equal, and whatever of success I may have attained since the war, I attribute to-day to his great example and wise training, for it was he who first taught me the value of accuracy and promptness in every undertaking. When first I assumed the duties of my new position in the summer of 1863, among many other things, I was required to make up from regimental and post returns the official reports of our brigade, and to me they seemed as big as a barn door and nearly all made up of figures—then, as now, my pet aversion. My room was next to his, and in the compilation of the last item of our report, if he heard me using the eraser on a single figure (and he seemed to hear and heed every sound), the order came, "Lay that sheet aside, comrade, and make out an entire new report." The change was, of course, made as directed; there was no back talk, nor was a single figure inconsequential to Wilkinson. In all military and business affairs he was as rigid and unyielding as any martinet; yet in private life no one was more considerate. So it was not many months until his ways were mine, and together we conversed, rode horseback, consulted, and often called upon and sang and danced with the pretty girls. He was then a wid-

ower and I a boy. That he was always a ladies' man was evidenced by the fact that in his long life he had been the husband of five wives, and when I visited him last, he drove me out to the cemetery at Wheeling and pointed out in the Wilkinson lot the graves of four of these who had passed to the beyond, while his last still survives him. Nothing ever escaped him, especially a lovely woman. One day down at New Creek (now Keyser), in the spring of '64, after he and I had made an inspection of outposts, pickets, etc., he said to me at the office: "Henry, did you notice that lady we passed up at Reese's? She has a good face and beautiful arms." Like a good soldier, I cheerfully lied in answering, "No, sir, not especially." Well, this lady chanced to adhere to the Union; was a refugee from over in the Valley of Virginia; of good blood and family; a widow, and the Colonel finally married her. She was his fourth wife; up to her death I often met her, and nothing could be finer than her devotion to the dear old warrior. She could not get his exact age, and thought she had him where he must answer definitely when the taker of the census of 1880 came around; but when that question was asked out on his piazza at home, without batting an eye the wily Colonel answered, "Past fifty," and she never did know. But he told me he was born in 1809.

One day while at New Creek in the spring of 1864, the Colonel was called on official business to Harper's Ferry, all staff officers were out at nearby Hawk's Nest Cave, and I was left to run things at headquarters. A scout dashed up with the news that a goodly force of the enemy were to cross the Alleghanies at May's Gap, thirty miles away, between midnight and two o'clock the following morning, to capture our outpost. Directing this courier to select a fresh horse from the corral and eat his dinner, saddle up, and then report to

our office, I hastily prepared an order to our post commandant at Greenland Gap, telling him all I knew, and more, and directing him how to reach this Gap, station his men, and not fire until the Confederate rear guard was well into the pass, and then capture the entire party. I was so expert in signing the Colonel's name that all his money in the bank could have been drawn or a prisoner of war shot on that signature of mine. So I carefully signed this order, "N. Wilkinson, Colonel commanding Brigade," and sent it away with that trusted scout. That night I neither slumbered nor slept, for I thought the scheme might fail. Luckily for me, the plan carried; the Confederate command at the Gap had duly appeared, been gobbled up, nearly every man captured, and nobody hurt. This glad news came late that afternoon. I neither could, nor did I, ever explain anything to the staff, but when the Colonel returned, I made to him a clean breast of the whole story. He was grave, thoughtful, but kind, and only said: "Never take such chances again; it's too risky." He knew, and so did I, that had my scheme failed, I ought to have been court-martialed and shot. That was only one of the many chances of war. But success and failure mark the wide difference between revolution and rebellion, and it was no credit to me that my plan won. No one but the Colonel and I ever knew the whole truth of the matter, and after his gentle rebuke, I never again assumed such a risk.

For many years the Colonel lived in the suburbs of Boston; he was there the near neighbor and personal friend of that great expounder and defender of the Constitution, Daniel Webster, and I have in my library now the complete works of Webster in six volumes presented to me by Wilkinson. Southern in everything except politics, it always nettled me to hear the claim that New England was entitled to all the

glory, honor, and credit for all the patriotism and loyalty of our American civilization. They do not yet comprehend the fact that originally slavery was a national, not a sectional sin, nor that at the adoption of the Federal Constitution in 1789 negro slaves were owned throughout this country; that business interests, and not sentiment, guided our ancestors; that the conscience of the Far North was first awakened by a knowledge of the fact that negroes could not endure the rigors of that climate, and this knowledge led them to there first abolish slavery. Further, the first blood shed for American liberty was that of a slave, held and owned in Boston. His name was Crispus Attucks. Out on their Common they have there erected a monument commemorating the life and death of this slave of late years; but only a few descendants of the "Mayflower" ever heard of, or piously ignore, these basic facts of history. So when I could not help hearing a conversation between Colonel Wilkinson and an old fat friend of his from Boston, in the spring of 1864, my blood was stirred, yet no word escaped me. They were men and knew things, while I was only a private and a soldier. They agreed upon the proposition that John S. Carlisle, who was late a U. S. senator and lived in the next block to our Clarksburg headquarters, had lost all his chances for the Vice-Presidency, for which he had been slated, by a bitter and unwise speech in the Senate in opposition to the annexation of Berkeley and Jefferson counties to the new State of West Virginia. They also agreed that Lincoln must and would be re-nominated for President, but in his talk against the probable nomination of Andrew Johnson for Lincoln's running mate, this well-fed Bostonian said, and that hurt me: "I am unalterably opposed to Johnson's nomination, for the reason that he was born south of Mason and Dixon's line and no Southern man can long be loyal to

either the Union or the Republican party. If Johnson should be nominated and Lincoln should happen to die, then our President would soon distrust his party allies; he would fawn upon and soon become the tool of the aristocrats of the South; be mere putty in the hands of the Democrats. He will not do; for our Vice-President we must get a Northern man." The world knows the outcome of all this; but at the time his criticism seemed harsh, severe, and unjust. A boy does not see far ahead of his nose. To me it is clear now that I shall never know as much about politics as I thought I knew then.

My last visit with Colonel Wilkinson was in September, 1888. Then I wired him from Newark, Ohio: "On arrival of first through train from here, I will again report for duty to my old commander." The train was hours late and I did not arrive at Wheeling until after dark. In the dim light I again recognized the tall, soldierly form as the Colonel was pacing back and forth in the station waiting for me. He sent a message to his business associates that he would not be down town, and for the next forty-eight hours and at his home we fought the war all over again. When first I went with him in 1863, the Colonel was smoking a special brand of Wheeling stogies; I then learned to like them, have smoked them ever since, another one of that same kind in my mouth right now. In 1888 I was *en route* to my old home county and was there billed to make a speech from the same platform with the Colonel's old friend and mine, Governor Pierpoint; his parting admonition was: "Now, my boy, when you get back to Marion County, for the honor of the old regiment, I want you to make the effort of your life, and if your speech equals Frank Pierpoint's, I will die happy."

Whether on detached duty or carrying a musket in the ranks, in camp or field or on the march, it now seems there

was no variation or change in the rule that our sutlers never carried in stock but one class of literature—"Beadle's Dime Novel." Being an omnivorous reader, I must have mastered the contents of cords of these novels, and was still reading them when I went with Wilkinson. He soon switched me, first to British magazines, which we found in abundance at headquarters; then to Prescott's "Conquest of Mexico and Peru," and from that delightful, novel-like reading, to books from his own magnificent library back in his home. The result of his attention, kindness, scholarship, and wise direction was that from the lightest of all reading he had gotten me into the habit of reading and studying the best books of that day before I left him, and that habit has clung to me ever since.

VII.

JOURNALISTS.

If mankind were allotted some thousand years on this earth, instead of being cut off with one scant century, of course the end would come before we even suspected a lot of things we ought to say and do and know. But really, now, if my own time here were not so short, it would afford me pleasure to say a word about each of the many journalists I have known.

For example, there is Major JOHN L. BITTINGER, for many long years the editor of the *Herald* at St. Joseph, Missouri. I've known the Major and stood by him through thick and thin for forty-three years, because he has always been as true as the North Star, as brainy as the best, as able and earnest with his pen and voice as the wisest—and then, I like the man. He knew Lincoln and Douglas personally and reported their great joint debates in 1858; was the trusted personal friend of Lincoln, Frank Blair, Colonel Van Horn, Governor Willard P. Hall, B. Gratz Brown, and a lot of other strong Union men of this State away back in early war-times, and the people who know him have often placed him in high official station. In 1874 I went from my home at Gallatin to St. Joseph and there had a long conference at the old Pacific House with many other of the Major's friends, for to him the hour was dark. Upon leaving, the Major came out to the old horse-car line with me in front of the hotel, and in my earnest good-bye effort to cheer him up, I threw a line from

Cowper at him and quoted, "God moves in a mysterious way His wonders to perform." And to this sentiment, but without a smile, the good Major responded, "Yes, and I am just laying for him."

But one of his crisp sentences thrilled me back in 1905, and it came about this way: The Major was then past seventy, a member of the Missouri Legislature from his district, and in our deadlock which resulted in sending Major William Warner to the U. S. Senate was the leader of the bolters, who supported for that office Colonel Kerens, of St. Louis. The joint sessions were presided over by a Lieutenant-Governor who warmly supported the Republican caucus nominee, and, having a rod in pickle for the Major, had twitted the veteran on his age. On the roll-call vote of the next day, the Major's name came early, and with all the strength of a vigorous young man he then answered to his name in this way: "If not now deemed too old by an insolent presiding officer, Bittinger, of St. Joseph, now casts his vote for Richard C. Kerens, of St. Louis."

Then there was ARCHIBALD W. CAMPBELL, who was the editor and owner of the Wheeling (W. Va. *Intelligencer*, who with either pen or tongue was always earnest, loyal, faithful, logical, and forceful. No man in the State did more in any way to aid the loyal than did he. Later in life we often met at National Conventions, as well as at Wheeling; but our last long talk was at the old St. Charles Hotel at New Orleans in 1883.

There was JOSEPH B. McCULLOUGH, who died only a few years ago as the editor of the St. Louis *Globe-Democrat*. Through his vigorous pen, the world knew McCullough and applauded him. He deserved it. In the war and when I knew him best, he was the war correspondent for some Cin-

cinnati newspaper and then signed all his articles "Mack." In both civil and military circles no one was then regarded with higher favor, for all knew that "Mack" wrote the exact truth.

The temptation, too, is strong to say a few things about other great journalists I've met; notably, Charles A. Dana, of the *New York Sun*; Horace Greeley, of the *Tribune*; Murat Halstead, of the *Cincinnati Commercial*; Morrison Munford, of the *Times*; and William R. Nelson, of the *Star*, both of Kansas City; Henry Watterson, of the *Louisville Courier-Journal*, *et al.*; but through their several newspapers the world knows all about each of them anyway.

Most of the Journalists I have known have long since written their last editorials, some have retired, and the remaining few still wear the newspaper harness; but, as the civilization of the day advances, the early-day editor is fast disappearing. Our great newspapers originally reflected the politics, personality, and individuality of the one man who owned and edited the paper; but, in the evolution of time, nearly all these are now owned and controlled by corporations, the editor-in-chief often writes not a line, directs others what to do and how; editorial writers are employed who can and do represent either side of any question, and the paper is run by and for the stockholders, but who does the heavy editorial work is unknown to outsiders. The progress of the times demanded this change—and got it.

There are, however, two great journalists, veterans of the pen, of whom I shall here say more; and these are Colonel Van Horn, of Kansas City, and Web Wilder, of Hiawatha, Kansas. They stand at the head of the class, and have for over half a century been close friends and neighbors in the newspaper world. My long personal friendship may account

in part for this partiality, but each deserves far more than he has ever received.

ROBERT THOMPSON VAN HORN, *Journal*, Kansas City, Mo.

Ever since this town site was first platted in 1839, wise and far-sighted citizens of the then frontier trading hamlet near the mouth of the Kansas River have worked without ceasing and done their full duty in efforts to advance every material interest of people and city. To each of these pioneers of thought, energy, and action much credit is due and given.

But in his long and efficient labor for the public weal, one name must be placed high above all others, one man has done more than they, for as writer, student, thinker, editor, official, worker, and lover of Kansas City, Colonel Van Horn to-day stands, and for over half a century has stood, without either rival or peer. A hasty glance through eighty-five years of the life and achievements of Colonel Van Horn will be of interest to Kansas City:

Born in Indiana County, Pennsylvania, on May 19, 1824. A printer-boy in the office of the *Register* at the town of Indiana, Pennsylvania, on April 24, 1839. A journeyman printer in many States, by turns a newspaper editor, teacher, lawyer, steamboatman, from 1843 to 1855. Married Miss Adela Honeywood Cooley at Pomeroy, Ohio, on December 2, 1848. Owner, editor, and responsible head of the now *Kansas City Journal* from 1855 to 1897, and was first induced to locate here because of the facts: that populous American cities are either on the water front or at the bend of some navigable river; that the Missouri River runs nearly due south for hundreds of miles and at Kansas City bends sharply to-

ward the east, with the only natural solid rock cliff at the turn found along the river at any town; that loaded wagons can go nearly due west for a thousand miles without crossing a stream of great size; and that the town then had a glorious future. When he reached here, the census just taken then showed a total population of but 457 persons.

Wrote the constitution and became a charter member of the Kansas City Association for Public Improvement in 1856. This later became our Chamber of Commerce, and then merged into our Board of Trade.

Attended a railroad meeting at Linneus, Missouri, as a representative of this city in 1857, and the movement then inaugurated resulted in the building of the Cameron branch, which is now a part of the main line of the Burlington Railway system.

Postmaster from 1857 to 1861.

Commenced in 1858 and thereafter continued the publication of the *Daily Journal*. Attended another railroad meeting in that year, and there drew the ten resolutions, unanimously adopted, calling for the immediate construction of many railroads radiating from Kansas City, and thereafter presented these resolutions in person to the U. S. Congress at Washington. The wide publication of this memorial first drew national attention to the 39th parallel railroad route, and the facts were forcibly presented to Congress by Senator John B. Henderson, of Missouri, about 1862, and finally resulted in the construction and operation of that which is now our main line of the Union Pacific Railway.

Spent large parts of 1858-9 at Washington, D. C., and at Jefferson City, Missouri, in looking after legislation favorable to the city. As a member of Congress he had to be at

the national capital and on duty; but for his paper and for the city he in fact spent most of his winters there for over forty years.

In the *Journal*, and elsewhere, he supported Stephen A. Douglas as the Union Democratic candidate for the Presidency, and opposed the movement for secession in 1860.

Mayor of Kansas City, elected over Dr. G. M. B. Maughs, the Secession candidate, early in 1861. By the Act of May 15th of that year, the opposition sought to change the law by here creating a Board of Police Commissioners, to be appointed by the Governor and authorized by law to employ and discharge the police force, and to take that power from the Mayor. Van Horn's election saved Kansas City to the Union.

Recruited "Van Horn's Battalion," the first Union troops here organized, in June, 1861; and was in command of the post at Kansas City. As post commander, he then issued an order which practically abrogated the Act of May 15th, and the next day issued a proclamation, as Mayor of this city, recognizing and enforcing the Federal authority. So that law became a nullity.

Participated in the battle of Lexington, Missouri; was there wounded and finally surrendered to General Price, with other forces under Colonel Mulligan. Van Horn's Battalion then merged into the 25th Regiment, Missouri Volunteer Infantry, and he was commissioned lieutenant-colonel of that regiment.

As the commander of that regiment, he fought in the great battle at Shiloh, Tennessee, in 1862, and after their commanding officer (Colonel Peabody) was there killed, Colonel Van Horn commanded the brigade during the remainder of the fight and thereafter. Was later in command of the working forces that built the abatis at Corinth, Mississippi, un-

der Generals Grant and Rosencrans, and after the battle at Medon Station, was sent with his forces to reinforce General John A. Logan at Jackson. Not long after this, Colonel Van Horn's regiment, being greatly depleted by losses in battle, was sent back to Missouri, and was thereafter consolidated with and became a part of the 1st Missouri Engineers, better known as "Bissell's Engineers." There then being two sets of officers in that regiment, Colonel Van Horn retired from active duty as a soldier.

Elected a Missouri State senator, without his consent, and while at the front with his regiment in 1862. Milton J. Payne and E. Milton McGee were then sent by the people to the lower house of the Legislature.

There are yet citizens who get red in the face and froth at the mouth when discussing the horrors of enforcing the terms of "General Order No. 11," which was here promulgated on August 25, 1863, and through General Bingham, the people of the affected district later defeated for Governor of Ohio the Democratic soldier and statesman who issued it. But looking backward to that time and this place, forty-six years after the occurrence, to me it seems our people overlook the fact that there have always been wide differences between war and peace, a soldier and a typical Sunday-school teacher, for this country was then in a state of actual war, and, as General Sherman once truly said, "War is hell." As nearly as I can get them, the facts are that this order then issued from "Headquarters District of the Border," by order of General Ewing, requiring 'disloyal residents of certain districts within that command "to remove from their present places of residence within fifteen days from the date hereof." Living within this district and personally well known to many of the people affected by the unnecessarily severe terms of this order,

the people of the country, speaking through the written request of Rufus Montgall and many others whose hearts were with the South, successfully implored the commanding general of the Department to appoint Colonel Van Horn to conduct the deportation. They knew and there said that he was honest and sympathetic, generous and humane.

Mayor of Kansas City again in 1864, and later elected a member of the Congress of the United States, taking his seat at Washington on March 4, 1865; but until the last date continued in office as State Senator.

As our State senator, he had adopted the bill which brought the now Missouri Pacific Railroad to Kansas City; also the act incorporating the "Missouri Company," February 15, 1864. This last law granted unlimited powers and finally resulted in the construction, among many other enterprises, of the present Belt Line Railroad around the city. Colonel Van Horn, also drew and passed the legislative laws which released the taxpayers included within "Order No. 11" from their State taxes for 1862 and 1863; and also suspended the enforcement of liens under judgments, for the execution of that order had left waste parts of the counties of Jackson, Cass, Bates, and Vernon.

Delegate to the great council of the five civilized Indian tribes held at Fort Smith, Arkansas, in 1865, and by treaty there secured through the Indian lands the right to construct the now M., K. & T. Railroad.

As our member, Colonel Van Horn drew and introduced into Congress in January, 1868, the *first* bill for the organization of the Territory of Oklahoma—a Creek Indian word meaning "Red Man's Land," name and meaning suggested by our good old friend, Elias Boudinot, an educated mixed blood Cherokee Indian.

Colonel Van Horn ably represented this district in the U. S. Congress by elections in 1864, 1866, 1868, 1880, and 1894. Under President Grant's appointment, he here served as internal revenue collector from 1875 to 1881; was a Missouri delegate at large to every Republican national convention from 1864 to 1884, twice our National Committee man and also served as the chairman of the Missouri State Committee.

All the foregoing record facts may be seen and read in print; but, with his usual modesty, Colonel Van Horn still insists that he was in advance of his people largely because of the other facts that he was known as the *Kansas City Journal* editor, was loyal to the Government, and was at various times in public office.

But there is now no doubt that by his election as Mayor in 1861 and as the volunteer aid on the staff of General Curtis in charge of the defences of this city during the last Price raid, which culminated in the decisive battle at Westport in October, 1864, Colonel Van Horn twice rendered to the city such public service as actually saved the city from falling into the hands of the Confederacy.

The further results of his active public life were the early entrance into Kansas City of these present-day railroads: Burlington, Missouri Pacific, Wabash, Union Pacific, Memphis, St. Paul; and also in the construction of the present gas-works, water-works, and stock-yards plants.

In early times the rivals of this city were Randolph and Quindaro, the latter then having the largest and best hotel in the West. Then came the cities of Leavenworth, Atchison, and St. Joseph. But when the Civil War closed, all these towns realized the fact that under the wise, sagacious, and far-sighted inspiration and work of Van Horn and his fellow-townsmen, Kansas City, in securing ample legislation, was

more than ten years in advance of any and all of its rivals. Not a man among them ever profited a penny by all this work and law, for they never either thought or worked in dollars. To them Kansas City was everything; the individual citizen, the dollar, nothing.

Charles C. Spalding, the author and publisher of "Annals of Kansas City," was here a reporter on the *Journal* in 1857-8, and his book, in the main, was by him then taken and made up from the files of that paper.

While a member of Congress, Colonel Van Horn drew and secured the passage of the laws under which the Hannibal (now Burlington) railroad bridge was constructed across the Missouri River in 1869, and later on, in the same way, procured the necessary national legislation for a like bridge over that river, now for many years known as the Chicago, Milwaukee & St. Paul bridge.

In the retirement of his country home near this city, at the age of eighty-five years, Colonel Van Horn retains all the mental strength and vigor of his earlier life; with keen relish enjoys the love and companionship of his good wife and family, his books, magazines, and papers, and no one enjoys life more than he. He came to Kansas City fifty-four years ago, and with pleasure and pride has witnessed its growth from that day to this.

Many years ago Colonel Van Horn and I were talking with a group of gentlemen in the Senate lobby at Washington, when Senator Vance discovered a newly made millionaire, who had just purchased a seat in the Senate, pacing back and forth with knitted brows and hands behind him, and asked Senator Vest what this fellow was doing. In a flash Vest answered: "The damphool thinks he 's thinking." Ever since I've known him, Colonel Van Horn, like Vest, has had scant

patience with those who merely think they think. No one better knows the wisdom of the wise saw, that "you can't make a silk purse out of a sow's ear," nor that educated asses sometimes break out of collegiate corrals; and while schools, colleges, universities, and books are good, and those who have not their advantages must always regret it, yet practical thought, reflection, and common sense are better. So, like most others who can and do think and reason out problems for themselves (and this class is not overburdened with members), Colonel Van Horn spends but little time or thought on the mere theoristic bookworm. Industry may bring knowledge, but not wisdom. As an evidence of his theory on this question, he was not long ago talking with me about someone who was simply bookish, when I asked: "But, Colonel, is he worth while; does this fellow really know anything?" "Know anything?" he said, "no; why, he is as ignorant as a college graduate." He uses his brain and knows that the man who cannot reason is a fool; who will not, a bigot; and who dare not, a slave.

Lest these facts may be overlooked, I want to note incidentally here that about the year 1848 Colonel Van Horn became a charter member of the Masonic Lodge at Pomeroy, Ohio, and also a Knight Templar of Mount Vernon Commandery, No. 1, at Columbus, Ohio, and is still a member there in good standing in all these Masonic bodies; that the Supreme Court of Ohio granted him a license to practice law in that year; and that he loved to dance better than to eat away back there, and long after he came to Kansas City he was the champion waltzer of the Kaw's mouth.

Since his retirement from the activities of life on the *Journal*, Colonel Van Horn and his wife (see Appendix) have spent much time in traveling to many interesting parts of

America, and when they were down in Florida last winter I received a letter from Web Wilder which was so good in so many ways that I remailed it to the Colonel. Here is his answer:

“LAKE HELENA, FLA., February 15, 1909.

“*Dear Judge McDougal:*

“I received your letter—your good letter—with Web Wilder’s characteristic letter to you.

“I suppose it was this ‘enclosure’ you want me ‘to read and study.’ What a noble soul Web is! His description of a ‘gripper’ is as original as it is Wilderesque. I have in time past imbibed a prejudice against ‘calomel,’ but if it is ‘*a calomel mind*’ that our mutual friend has, I will have to reconsider my prejudices and become more hospitable toward it. Give him my recantation when you write him, and my proud appreciation of his personal compliment to me, emphasized by that to our friend, Senator Johnson Clark. There is and never was but one Web Wilder.

“Mrs. Van asks to be remembered to you and Mrs. McDougal, and to say Florida is a good place to read about blizzards of seventy-five miles an hour sweeping Kansas City. May the gods be good to you is the prayer of,

“Yours always,

R. T. VAN HORN.”

On March 10, 1905, at a “Van Horn night” meeting held by the Greenwood Club in Kansas City, Colonel Van Horn and his family were present, along with many of our older citizens. Congratulatory speeches were made, the address of Prof. J. M. Greenwood being especially elaborate and interesting. Short talks were also made by Robert H. Hunt, Milton Moore, J. V. C. Karnes, J. S. Botsford, L. H. Waters, William J. Dalton, and myself. In his response to all this, Colonel Van Horn, in a short, crisp, terse talk, used more good English than all of us put together. This additional proof but strengthened my belief that in his powerful paper on the Colonel’s life and services—incidentally the history of the development of the West—Prof. Greenwood was right in the

conclusion that America had produced but four transcendently great newspaper editors—viz., George D. Prentice, Horace Greeley, Samuel Bowles, and Robert T. Van Horn.

With this record it will not be difficult to understand how and why I was then right in there saying:

"Mr. President and Friends:

"I have long been proud of the Kansas City spirit, which says and does things at the right time and in the right way. I am prouder of that spirit now than ever before, for it has here brought together so many representative men and women of this city to pay tribute to a venerable living friend whom we all respect, honor, and love. But I am proudest of all to-night that I enjoy the personal friendship of our distinguished guest of honor, Colonel R. T. Van Horn.

"I have known him ever since I became a citizen of Missouri, nearly forty years ago. Our first bond of sympathy grew out of the fact that we had been soldiers of the Union in the Civil War and were members of the same political party. The passing years brought us closer together and each year has served to increase my admiration for the man—for his vast knowledge, profound wisdom, wonderful achievements, kindness of heart, simplicity of manner, his humanity—until to-night this big, brave, brainy, far-sighted, many-sided man appeals to me as a very giant in intellect and manly manhood.

"In the days and years that are gone I have had many long heart-to-heart talks with Colonel Van Horn, and at the close of each have known that I not only knew more, but that I was a better man than when that talk commenced. And if I had that faith, hope, and belief of immortality so soothing to many of my betters, one of the anticipated delights of the mystic life beyond the River would be that I might there, as here, again meet, greet, and commune with my friend, in and through all the days, weeks, months, years, centuries, and cycles yet to be.

"I believe in, and have practiced, the sentiment expressed by the poet in the lines:

'O friends, I pray to-night,
Keep not your kisses for my dead, cold brow.
The way is lonely; let me feel them now.

* * * * *

When dreamless rest is mine, I shall not need
The tenderness for which I long to-night.'

And when a friend has either said or done a good thing, I have not waited to speak of it over his or her grave, but have taken that friend by the hand and, face to face, expressed my grateful appreciation. Hence I am glad to be present to-night, to pay my tribute of personal respect to the journalist, soldier, statesman, sage, philosopher, and friend, who for half a century has been the most useful citizen of Kansas City, as he to-day is easily our *foremost* citizen. And having him here at a disadvantage, I repeat to his face what I have so often said behind his back: 'That the time will come when the rising generation will say with pleasure and pride, 'I knew Colonel R. T. Van Horn,' just as we of the passing generation proudly say, 'I knew Abraham Lincoln.'

"When the long, busy, useful, and beautifully blameless life of our beloved friend shall have closed—which the gods grant may be many years hence—then it may well be said of him, as the gifted John Boyle O'Reilly said of his ideal man:

" 'And how did he live, that dead man there,
In the country churchyard laid?
Oh! he? He came for the sweet field air.
He ruled no serfs and he knew no pride.
He was one with the workers side by side.
For the youth he mourned with an endless pity,
Who were cast like snow on the streets of the city.
He was weak, maybe; but he lost no friend;
Who loved him once, loved on to the end.
He mourned all selfish and shrewd endeavor;
But he never injured a weak one—never.
When censure was passed, he was kindly dumb;
He was never so wise but a fault would come;
He was never so old that he failed to enjoy
The games and the dreams he had loved when a boy.
He erred, and was sorry; but never drew
A trusting heart from the pure and true.
When friends look back from the years to be,
God grant they may say such things of me.' "

DANIEL WEBSTER WILDER, Hiawatha, Kansas, was born in New England *circa* four score years back, was reared and classically educated in that part of the footstool, but in early territorial days came to Kansas and has made that his home ever since. Within this more than half a century, Wilder has many times fallen from grace and filled public offices; but, as a rule, has wisely clung to his beloved books, edited newspapers, written a lot, and thought more. The result of all this may be found in the history of that unique State and in the untold number of book, magazine, and newspaper articles which he has written and printed. His best known book is his "Annals of Kansas," his least known his "Shakespeare." In Topeka, Lawrence, Leavenworth, and maybe at other Kansas points, he has owned and edited newspapers; while growing out of the troublous border trials of the long past, he was indicted as the editor and publisher of the St. Joseph (Missouri) *Free Democrat* in 1860. In all this he has been as wise as a serpent, as harmless as a dove, as devoted to freedom as a most ardent patriot, and as gentle as a girl. So no wonder that he is a welcome addition to all political, literary, social, and family circles; and the better he is known anywhere and everywhere the more he is beloved.

Throughout the West everyone refers with kind affection to "Web Wilder," for to all he is the same polished, scholarly, thoughtful, genial gentleman, and only a few know that for half a century he was associate editor of Bartlett's "Familiar Quotations." For many years we have been close personal friends and my love for and admiration of the man increases with increasing years. He is of the "Mayflower" and I of the Cavalier stock. The history and literature of the world are at his tongue's end, and he quaintly and quietly reminds me, in his easy way, of how my Virginia ancestors in

Colonial days, sometimes purchased their wives from the slums of London for so many pounds of tobacco; or how they then persecuted and drove out the Quakers, and often resorted to the ducking-stool for recalcitrant women in the waters of the historic James or the Chesapeake; and somehow I enjoy from him this gaff and chaff, for it is another reminder that perfection was not given to man. He knows that every native Virginian, from the bluest-blooded aristocrat down to the poorest and meanest white or black trash, either inadvertently, maliciously, or otherwise, is prone to be proud of his Virginia blood and birth, and always feels a little sorry for anyone who happened to be born in some other State or country.

In an effort to get even with Wilder on this ancestral proposition, I once told him of a "Forefathers Day" banquet I attended in the city of New York, presided over by the best toastmaster to whom I ever listened, the great William M. Evarts. In either the toasts or responses, Evarts or some of the other speakers told of these three incidents of early times: From the time they sailed from The Hague, the Pilgrims were working on a code of new laws by which the "Plimoth Plantation" was to be governed; but coming in sight of our shores sooner than they expected and before their laws were completed, they drew up and solemnly adopted this resolution: "*Resolved*, That upon landing on the shores of the New World, we will live according to the laws of God, until *we* have time to frame a better." In there propounding some sentiment, I think it was Evarts who said of their Pilgrim fathers, that "when they landed on Plymouth Rock, they first fell upon their knees, and next upon the aborigines." Then too, some speaker told this story as illustrating the Far South view of the achievements of the New Englanders: Bishop Green, of Mississippi, was in Boston attending some official

function of his Church, when his brethren of the cloth escorted him down to see famed Plymouth Rock. They grew enthusiastic and eloquent in recounting the doings of the Pilgrim fathers and the great good which had come to the civilized world therefrom, when some good brother was brought back to earth by the fact that in and through all this talk Bishop Green had never once opened his lips. Commenting upon this silence, the home talent finally induced Bishop Green to say that "if one slight change had been there made when the Pilgrims landed on that rock, America would thereby have been spared a vast amount of slander, scandal, and bickering." He was at once anxiously asked: "What change was that, Bishop?" And to this he slowly responded: "If instead of the Pilgrims landing on this rock, Plymouth Rock had then but landed on the Pilgrims." To each and all of these Wilder only laughed and said: "Maybe so; maybe so; just like them."

When I was exhibiting the menu of this banquet, however, Wilder got his innings: After each item of the many good things to eat and drink on the bill of fare, there was printed a quotation from some well-known writer, and down near its close and at the heading "Cheese" came this: "And then comes cheese, which digests every thing and is, in turn, by wine digested.—*Shakespeare*." Now, I had always taken it for granted that in some of the writings of the "immortal Bard of Avon" these lines appeared, and was not prepared for Wilder's speedy correction in the words: "Shakespeare never wrote that, nor anything approaching it." I insisted that this great master knew and wrote, in some form or other, the world's wisdom and knowledge; that this was a good sentence and true, and that if Shakespeare didn't say it, he should have done so. To all this Wilder agreed, but again said: "Shakespeare never said that; go to that Concordance of his

works in my library here, run down all you can find under the head of 'Cheese,' and you will find out I am right." I at once followed his direction, with the result that to this good hour I don't know who did write that line, but it did not come from Shakespeare, and, as usual, Wilder was right.

Newspaper men have many wise saws, and among them that for one to make a success in that field he must first have "a good nose for news." I must possess this attribute in high degree, for I never hear of nor get my hands on a good news item that I don't want to trek off to a print shop at once and have the dope put in cold type. My respect for and appreciation of printers' ink and its many virtues in preserving the good thoughts of the world are well known. Back in his native State of Kentucky, I have been told that Tom Marshall would never consent that any one of his many great talks should be printed. No mere spell-binder can ever afford to have this done, for somebody may read and recall his words. He goes about, makes many speeches, paws the air, says nothing worth while; his hearers listen to his voice, watch his gestures, nudge each other, and say, "What a great speech!" and straightway that same loud howler goes into the next township or county and electrifies his audiences by the same old talk. No wonder he is always against the print shop. That sort of thing never appealed to me, while the printer-man always looked good and big. So when my good friend Wilder wrote me a colossal thought some years ago, I asked his permission to hand it to the printer, but, with his usual modesty, he said, "No,"

Again, some years ago I mailed to him a printed copy of the marvelously interesting paper written and read by our valued friend, Thomas Adams Witten, on Munkacsy's "Christ on Calvary." In returning his grateful thanks for and high

appreciation of this paper, which he says "makes old things look new and strange," in a sort of semi-religious refrain, Wilder adds this:

"You and I never talked about creeds, I believe. My own position favors the higher criticism and is revolutionary. But, in the Presence, I still get down on my knees and veil my face. So did our good master Shakespeare, in many and many a devout and inspired line. We believe in modern criticism, but the spirit of reverence and devotion remains untouched. Matthew Arnold's best sentence is this: 'I believe in the Power Eternal, not ourselves, that makes for righteousness.' In your bones you are John Knox and I John Calvin, in spite of the infamies in their creeds. (By the way, the fatal political blow to the 'divine right' of kings and princes was struck by these teachers of the brotherhood of man.) But you and I are moved by a warmer, finer, higher spirit that came upon men after the birth, life, and death of the God of Galilee.

"By the way, from much tumbling of lexicons, I have come to the conclusion that no great man was ever born except *circa*—about such a year or century: That word follows the great names in the cyclopædias and attests their heroic figure. We do not know when Christ was born. How his words got themselves reported, written, no scholar has told me. Shakespeare was not well and really known in his time. Nearly a hundred years elapsed before he found even a feeble biographer. Emerson says it took three hundred years for mankind to know Shakespeare. Lincoln lived in the bright light that beats upon a throne, but not a single American knew him until he too went up Mount Calvary.

"To come down to much smaller men, a good dictionary, and then the best English one, was published in the reign of Queen Anne and made by 'N. Bailey.' I have an old copy, my father's. The last edition of the Encyclopædia Britannica does not know when Bailey was born nor what name 'N' stands for. Cruel, but according to rule and a law that cannot be repealed."

Now, I have in my library at home a copy of Bailey's rare Dictionary that was given to me; and by twenty-nine

years it antedates the publication of Johnson's Dictionary. Scholars say the latter was the first Dictionary printed, but it wasn't. The above is the good stuff I wanted to print, but read on and it is seen how and why Wilder refused:

"Yesterday I asked a favor of you. To-day you ask one of me. Is it gracious to deny you?

"Well, many thoughts remain unspoken; they are told only to a friend, and then almost unconsciously. It would cause pain to have them made public.

'But what binds us, friend to friend,
But that soul with soul can blend?'

"I'm an old man now and don't deserve it. Such a lingerer will soon be toppled over, and find no fault. The youthful soldier of Lincoln can then take my stuff to the printer, if he then values it."

Up to date I did not carry this rich storehouse to the printer; but I'll chance it now.

In the hearing of Wilder and other good fellows of our Shakespeare Club, in 1895, I had read my paper on Hamlet's insanity. After going over my matter again not long ago, Web thus writes me:

"Lately I have reread 'Is Hamlet Insane?' (How much life is added by using 'is' instead of 'was'!) with solid, comforting satisfaction. Whether we like or not the goal reached, we have enjoyed the journey, the illuminated progress. I do not dislike the conclusion. The play of 'Hamlet' is a hundred interrogation marks. Each question absorbs the thinking works of the finest intellects. No two agree on the answer. All are fascinated with the study. Each century, every scholar enlarges, adorns the subject of the investigation. An age that does not hereafter enlarge and deepen the meaning of 'Hamlet' will be a dark age returned.

"The only Shakespeare critic quoted by you is a good one, Hudson, an American. His judgments have stood the test of half a century. During the year I have read two Shakespeare books, Dowden and Brandes. Dowden quotes Hud-

son more frequently than any other critic. Brandes approves of Dowden. The American clergyman, of the Episcopalian faith, blazed the way, to a considerable extent, for both of them.

"The multifarious learning of Brandes is amazing. As one English statesman said of another: 'His weakness is omniscience.' All through Dowden, you can see that he is a good fellow; a frank, square man whom you would be glad to know. Brandes knows, apparently, all languages and literatures; when a play was written, what it is based upon, and its likeness or unlikeness to some English, Spanish, Greek, Latin or East Indian production. And he follows Shakespeare into places that you and I would not go, and that Shakespeare never did. But this Hebrew, born in Denmark, has to be looked over. I think our Emerson and Lowell and the English Coleridge, Lamb, and Hazlitt are the men who best see the greatness and goodness of the most marvelous of all authors. To read them makes you hopeful helpful, radiant.

"I like your legal definitions, Coke, Blackstone, and the decisions. It gives the reader something solid to stand on; not the guess of a literary 'smart Aleck.' If you could have given a citation from Braxton or Plowden, or gotten in a simile from the rule in Shelley's case, or the statute of frauds, I should have felt still more pleased and confident. (I have not seen one of those names in print in forty years and may have misspelled them all—to show my learning!)

"Your view is new; it holds and refreshes the reader. So much criticism of books is mere speculation by persons who know not the world, know not men, could not make a logical speech, and would be driven out of court by a wise, clear-headed judge.

"Your great page and your original view and argument is page two, although the whole statement has the same consistency. I wish there was a bookful of this fresh, enlightening criticism. It is good and clean work. The book would have a constant sale to those of good minds, delighting in letting the sun shine in dark places.

"I shall read it again and again and lend it to appreciative people.

"I must fold and seal this now. Ah! what lines! what a master! 'Absent thee from felicity awhile.' What a noble age they lived in! How triumphant over time and death!"

Away back in the days of the Nazarene, and on down to Calvin, Knox, Shakespeare, Cromwell, *et al.*, the principal objects of our ancestors were war, religion, and robbery. Of old it was the thing to hang or burn one for differing from the views of the powers that be, and especially on religious questions. Of course, they were oftener wrong than right. Calvin was a lawyer, more than a priest, and four hundred years ago, almost alone, he established religious liberty, and for the priest substituted conscience. So he may be forgiven now for burning Servetus, for he only executed the order of the times. No doubt this was the thought in Wilder's mind in writing me about these matters.

Because both Wilder and Van Horn had been hard-working, close-thinking newspaper men on the firing-line of our Western frontier for so many years, when I received a letter from the former, early in this year, I remailed it to the Colonel, who was then down in Florida. Without the knowledge or consent of either, I take the liberty of reproducing in these Recollections the letters of both. Wilder then wrote:

"HIAWATHA, KAS., January 27, 1909.

"My dear Judge:

"Your pleasant letter of more than a month ago was duly received and gladly read, as they always are; but I am still tied down to drudgery and have been again visited by the grip.

"A gripper is a person who has a poor body, a calomel mind, and no head at all. You are greatly blessed by living with delightful friends, friends who have known each other for years, whose minds are superior and who are genial, jovial, and full of sympathy for each other. It is a joy that has no equal as we travel through this alleged vale of tears. On a range or in a small settlement these rare blessings cannot be reached. Where is John Binns, the sailor who sat in a dungeon on a ship, could see nothing but deadeast darkness, and yet talked by lightning with other ships, stayed in his cellar,

flashed his fire out of nothing through black darkness, and saved the lives of hundreds of men, women, and children?

"My dear Judge, you have had a fearful struggle to go through, but now you are again meeting Robert T. Van Horn and Senator Johnson Clark, and there is no better company than that. My grip attacks are nothing when compared with the attack you had. Mine disabled me in mind and body. But I do not grumble. It is one of the ways of killing time and a man. Please give my love to the veterans.

"We do not meet often here, but the ages of union are eternal. Love to you all. D. W. WILDER."

VIII.

POETS.

Nothing is recalled that would at this moment afford me more genuine pleasure than to say some words of my own concerning each of my poet friends. To the world they appear reckless, careless, inconsequent, Bohemian; yet in fact all are strong, manly.

CHARLES GRAHAM HALPINE. This Irish gentleman and scholar came to America before our Civil War and for a time was a forceful writer on the New York *Tribune* under Greeley. Then, during the spring of 1864, he was for a time my assistant adjutant-general, when General David Hunter was in command of the Department of West Virginia, and there I knew him. Soon after closing his exceptionally useful career as a soldier of his adopted country, General Halpine was made City Register of New York, and died in that city, at the age of thirty-nine, in the year 1868.

The following year, his old friend, Robert B. Roosevelt, printed in a book which he edited, many of the poems of my old friend, and a copy of this volume I have ever since had in my home library. On its front fly-leaf I long ago noted the above facts and then wrote: "He was brilliant, witty, genial, and social in camp, wise and sagacious in council, brave in battle, yet kind-hearted and gentle as a woman, and, as he richly deserved to be, was the most popular officer in our Army." Most of his writings in verse appear over his *nom*

de plume of "Private Miles O'Reilly"; and an hour with that book is always refreshing. Halpine's "Janette's Hair" is to me his most beautiful poem, "We've Drunk from the Same Canteen" his most popular, while his "Farewell to Club Companions" is the most characteristic

JAMES WHITCOMB RILEY is another rare bird whom I have often met; but the one instance of his Bohemian days that always brings a smile was a story I heard long ago: As a blind sign-painter, Jim once passed current in his native State; was then led about towns by a friend, who took orders for work while Jim did the talking. With orders all taken, and the funds therefor in his pockets, this "blind man" then mounted the painter's scaffold and in short order had merchants' signs and even dwellings decorated to the Queen's taste.

Years back I traveled eastward, and for some now forgotten reason stopped over a train at Indianapolis with a St. Louis friend. Together we repaired to the old Bates House bar (for ice-water, of course, the weather being hot), and there pointing out a table in one corner of the room, this friend said: "Do you know Jim Riley? Well, sir, two years ago I stopped here just as we have to-day for only an hour, and happened to meet Riley right over there at that table; and do you know, sir, I didn't get away from him for three days?"

In July, 1882, my wife and I spent a week at Indianapolis in visiting old friends, and Riley was then a modest, obscure, editorial writer on some up-State paper, without fame or fortune. While we were there, the *Journal* of that city one morning printed a little poem called "The Ole Swimmin' Hole" over the name of Benj. F. Johnson, but written by Riley. To me, as a country-bred chap, these verses seemed

unusually good, and I clipped and still have them. Then the papers throughout that State fell to wondering in their columns as to the real name of the writer, and at last some country editor down in the woods gravely announced himself as the John the Baptist of the series of inquiries in the printed statement that this poem was in fact written by "Benjamin F. Johnson, of Boone." Riley had the time of his life in reproducing in the *Journal* all this kindly criticism, but the alleged discovery so struck his funny bone that he adopted the name and the next year afterwards printed his first Hoosier dialect poems with the title: "The Ole Swimmin' Hole, and Leven More Poems," by "Benj. F. Johnson, of Boone."

In 1888 Riley and Bill Nye, who were then running together, lectured in this city, Riley reading his own poems in the main and Nye doing the humorous. While I recall the incident perfectly, yet I never knew just how it all happened until this year. We had here for years an apple-vender who kept somewhere concealed about his person a laugh that could be heard for many blocks, and when he laughed everybody else joined in because they couldn't help it. His name was George Oswald, and to disconcert Nye and have some fun with him, his old friend and mine, Colonel Harry A. Bender, employed George to attend the lecture and laugh at Nye's every sentence. Nye had hardly commenced his talk when Oswald laughed, and out of sheer sympathy everybody joined in. Nye was knocked off his feet by the applause, but finally went on, when George again broke loose, as did the entire audience. When quiet was at last restored, Nye looked down at Oswald and said: "Ah! I see there are two of us here." James Whitcomb Riley is often referred to as "the Bobby Burns of America" and deserves the compliment, for he has

written many beautiful and touching verses, but to me nothing more so than his "Clover."

EUGENE FIELD in his time might have posed as the American King of Bohemia, for he was always loaded and never once missed fire. The days and the nights which I long ago spent with him here in Missouri will long be remembered. He had learning and wisdom, soul and sentiment, and never lacked for either a friend or a word or a verse.

ABRAM J. RYAN was called "the poet priest of the South," for when first I knew him, he had been the chaplain of a Confederate regiment, was intensely Southern, and had already commenced to write verses, and everybody loved the man whose strong face, wondrous eyes, long curling hair, and priestly garb attracted every beholder.

In the summer of 1865 we met at his lecture at the old Mozart Hall in Cincinnati. The press then said he was the first Southern man to deliver a lecture north of the Mason and Dixon line for the benefit of the widows and orphans of the Union soldiers who had laid down their lives in the Southland; but that was Ryan.

The day I clipped Ryan's greatest poem, "I Often Wonder Why 'Tis So," a learned physician friend, named Dr. Robert D. King, of Hamilton, Mo., was called in at my request to treat a near neighbor of mine at Gallatin, who was very ill. This Doctor was a man of wide reading, strong and capable as both physician and surgeon, and he and I spent all that night in talk, and the basis of it all was Ryan's then latest poem. I was first attracted to Dr. King by his curious professional country advertisement in 1867, for he then had the nerve to use in print this closing: "Charges high, cures uncertain." In these lines of his, Ryan takes up and dis-

cusses every phase of human life, and years afterward explained to me that they were written after he and other party friends had worked with a like committee of Republicans to pour oil on the troubled political waters prevailing at one time in reconstruction days down at his home in Mobile, Alabama. After days and nights of constant work, their joint efforts won and peace was restored. Then Ryan sought his couch, fresh from the bath, but neither slumber nor sleep came until he got up and wrote these lines just as they were printed. Speaking of Mobile reminds me that I have often eaten, just across the street from the old Battle House there, the most delicious broiled oysters and the most piquant sauce, served in a hot and big oyster shell, that I ever tasted. Neither a cook nor a gourmand, I still love good things to eat, and, like Ryan, have often wondered "why" such oysters and sauce are never served elsewhere; but they are not.

Ryan delivered a lecture at Gallatin along in the early '80s, and next morning, while waiting together for a belated train, we two had our last long talk, for he found that rest for which he always sighed in 1886. He then agreed with me that his "Song of the Mystic" pleased more people than his "Conquered Banner"; but when I said it had always seemed to me that his poem "Their Story Runneth Thus" was the unfinished romance of his own life, the good priest turned his great eyes full into mine and said: "So it is, sir; so it is; but after I am gone the sequel will be printed, and you may then know all about it, as one complete story." I have often wondered why that promised sequel was not printed, but up to this date it has not appeared.

ELLA WHEELER WILCOX grows wiser and writes better and looks lovelier as the years go by. In New York we once

talked for an hour, and, while a great and good conversation-alist, it then seemed certain that the world would yet come to read, know, and appreciate her more.

WALT WHITMAN. If this gentle man ever gave one thought to whence he came, or when, where, or how he would go, I never knew it; for I did not inquire, nor did he volunteer the information. He was rather a serious, dreamy sort, and through his written pages the world of letters knew him long before our Civil War. Throughout that struggle he thought much, wrote some, and talked little, mainly because he loved that sort of a game; but for his daily bread he sometimes nursed sick soldiers in our hospitals and sometimes drove a hack around Washington, and it was there we first met. The last I heard from him, he was over in New Jersey, wrestling with a mild form of paralysis and simply waiting. But the great unknown became his in 1892.

From 1861 to that fatal day in April, 1865, few men either knew better or more highly appreciated the work of the great Lincoln; and no man living or dead loved the grave-thoughtful "Captain, My Captain" more tenderly than did this "good gray poet."

Whitman's writings are not widely read by the masses, because his thoughts and theories are beyond them; but the time will come when his "Leaves of Grass," his "Two Rivulets," "When Lilacs Last in the Dooryard Bloomed," and other writings will be read, studied, and understood.

JOAQUIN MILLER. His real name is Cincinnatus Henri Miller, and Joaquin was chosen as his pagan name years later, maybe because it is shorter and sounds better in the land where the sun goes down. Anyway, he was born in Indiana in 1841, taken thence by his parents to Oregon when a small

boy, went down into Nicaragua with the Walker expedition in 1856, returned, and in his Western home read law with George H. Williams, the last survivor of Grant's Cabinet and a most distinguished jurist, and afterwards there for four years administered justice with one copy of the Oregon statutes and a pair of six-shooters; then printed his first book, called "Songs of the Sierras," in 1872, and from that volume has spread out until his fame now circles the globe.

I am noting him last among my poet friends, for the reason that, of living Americans, he is to me the greatest and the best verse-maker of them all. Emerson excepted, our good New England poets to me suggest ready-made clothing; but among our people, for many a year to come, one name must head the list—Edgar Allan Poe.

Not long after the publication of his first book, Joaquin Miller located at the nation's capital, and on Jefferson (Meridian) Heights, up on a hill near that city, constructed his famous, quaint, old-timey log cabin. One of the red-letter evenings of my life was then passed in the old National Hotel at Washington with Joaquin, Elizabeth Bryant Johnston, General John B. Gordon, Olive Logan, and Kate Field, long ago. Joaquin's cabin was then located on the exact spot where President Jefferson had once established the American meridian and erected a hewn stone post, with a melted Spanish milled dollar run into a round hole in its top, to mark that point. When he bought the ground, Joaquin knew all about the long past history of the transaction, but could not find the post. So he traced it from one point to another down on the Potomac and back to the city, and after a world of trouble, found this ancient land-mark doing ignoble duty as a hitching-post at a hospital! He then restored the post at

its initial location, but neither his visitors at the cabin nor his surroundings at the capital suited the tastes or habits of the poet soul, and Joaquin removed to and built another cabin on his lands near Oakland in California. While in San Francisco in later years, I wanted to accept his standing invitation to visit him for a few days at this home and regret now that I was always (or thought myself) too busy to do so; but that was mere personal flattery; a hundred years hence, a week's time won't matter. In directing me how and where to find his present mountain home, Joaquin always said he lived on "the Heights, two miles up and three miles back" from the town of Oakland. In one of his "Little Journeys" that Heine of America whom all know as Elbert Hubbard, the owner, editor, and publisher of *The Philistine*, wrote up his visit to the haunts and home of Joaquin Miller, and if he never writes another line, that masterful description of man and place should make Hubbard immortal.

The last good long visit we had together was in March, 1889, at the old Willard Hotel in Washington. James Whitcomb Riley was with us for a few days, and we three sat at the same table. At breakfast and again at lunch one day I missed both; but at dinner they came in, blithe, happy, even gay. Joaquin explained their absence this way: That morning's paper had announced the then serious illness of their friend Rudyard Kipling; thinking him surely dying, the two had spent the day up in Joaquin's room, under lock and key, reading Kipling's works and crying like children over his certain death; but the papers on that evening said he was better and would recover, and it was this good news that made both radiantly happy. Now, I had read all of Kipling's writings and, aside from a few of his really strong things, didn't have an exalted opinion of his stuff. But their great solici-

tude and sorrow made me know that I had underestimated both the man and his books, and on their account I later re-read them all with better spirit and higher appreciation.

In their Bohemian days both Miller and Riley had known and loved John Hay, who was then Secretary of State; they always spoke of him as "Little Breeches," and urged me to go with them and call upon him. But I was busy on a brief, and the two went alone, just like two boys. Crestfallen, glum, and unhappy, they soon returned, and I said: "Hello! Have you two called on 'Little Breeches' so soon?" Slowly, solemnly, and bitterly Joaquin answered: "Several foreign diplomats were, in waiting, but on our cards we two were promptly admitted; no, we didn't see 'Little Breeches'; he is gone, and in his place sat the damned cold, stately premier!" Poor John Hay! In younger years so bright and good that his closest friends knew him as a part of the salt of the earth; yet in growing, as he did, into the greatest statesman and diplomat of his age, he became so cold in his utter absorption in public affairs as to lead those friends to the conclusion that he had adopted the cynical theory: "The more I know men, the better I like dogs."

One night in my rooms at the hotel, Joaquin was in reminiscent mood and had just returned from his old cabin home up on Meridian Heights. He knew my familiarity with that part of the city in the old days, and that I had seen how the city engineer was then destroying the natural beauty of the place by running all streets through these Heights on a plane. So he seriously asked what I thought of the way the hills were being cut down for streets. "My judgment is that it is a piece of damned vandalism," I replied. He arose, came across the room, grasped my hand, and said: "Thank God, there are still two men on earth who retain their senses; you

are one of them; modesty prevents me from naming the other."

Joaquin then knew that I had read his many books and quoted stanzas of some of his poems that to me seemed good and strong beyond others. So on this great night he mentioned as a fact that he was then engaged on a new work, and said that when this was done and read, I would know he had never before written anything that was worth while or ought to live. I innocently asked: "What is your line, Joaquin?" He fixed his gaze on me, and, apropos to nothing so far as I saw at the moment, asked: "Say, Boy, when a little chap, did you ever rob a bird's nest?" Without shame I confessed that I not only had, but had also then committed every other misdemeanor thought of by a red-blooded and healthy country boy. "Well, then, you must know," he said, "that after you had once put your little hand in on her eggs in the nest, the old mother bird never afterward paid any attention to either nest or eggs. So, too, it is with my work. If I should now tell anyone just what I am working on, I would have to turn to something else, for I would myself at once lose all interest in that work."

Joaquin Miller has long believed, as I have, that Moses was the grandest character in all history, sacred or profane, and he is the only man on earth to erect a monument solely to the memory of that wondrous personage. This he once described to me, as on the Heights just above Oakland, a tall, stately marble shaft with but the single word "MOSES" carved on its face. He knew that I had made a speech on "Moses and Lincoln," and this, with several other things of mine, he wanted. So he wrote out and signed the list of all these, and at its closing placed the date, "March 9, '99." By this time it was three o'clock in the morning and neither his eyes nor

mine were the eyes of a boy. Without glasses, he looked long and earnestly at that date, and then said: "Say, Boy, there are a hell of a lot of nines."

Like most big men, Joaquin Miller recognizes the wide difference between brains and bluster, knows that lightning may kill, but thunder only frightens; and wisely discriminates between those who "set and think" and the others who only "set." He knows, too, that change, advance, progress, are in the air and what one believes to-day may be cast aside on the morrow; that books and things are read largely by those who cannot think without the printed page before their eyes; and so, when he feels the need of a real good book, or essay, or sermon, or prayer, he writes it himself, and then knows it is right and suits him.

Just why he calls me "Boy" I never knew, for he is only a trifle my senior in years; but when alone he never spoke to me in any other way. I've long been fond of old Joaquin inside and out, from his onw graying locks and heavy whiskers down to his Western boot-heels, and regret that we do not meet oftener.

IX.

A FEW OTHERS WORTH WHILE.

HARRY A. BENDER, Kansas City, Missouri. For many years this rare, yet strangely genial, sagacious, and wise business man of the wide world has spent much of his time at Excelsior Springs, Missouri, and there we met and together have walked and talked. A confirmed bachelor, Bender dreads publicity, and fears a woman and a reporter; but within our long acquaintance, without either reserve or boast, he has given me some of the facts relating to his eventful life, and at the risk of his dire displeasure I now piece these together in a connected story:

At an early age, Bender was left an orphan and, like any other piece of driftwood on life's tempestuous sea, became a newsboy and bootblack on the streets of St. Louis during the Civil War. There he happened one day to hear a great speech by George B. Burnett, which determined his course, for he thereupon resolved to become an educated man and a public speaker, and did both.

As an independent speculator he next went on the St. Louis Board of Trade, and when, at the close of a spectacular plunge, its most-talked-of member, old Mose Fraley, failed for more than ten millions of dollars, Bender took down three millions on that deal, cashed in his earnings, put his money in solvent banks, closed his deals, and quit the game. Largely

to get beyond the temptations of the stock market, Bender then had the good sense to abandon the field, journey across the waters, and spend the next five years of his life in travel and study in foreign lands. Except for a little "flyer" which he took in copper some years back, he has never speculated one dollar's worth from the day of his big winning to this.

While abroad there, through his brokers he bought up the old home farm upon which he was born over in Illinois, and through the scholars and bookmen of the world bought one hundred copies each of the best historical and philosophical books of every country on the face of the globe. These, with the ancient and current literature of earth, purchased by men who knew, to-day go to make up his library on that farm. While I know nothing of all this, save the catalogue, yet I do not doubt that Bender's collection forms the most extensive and best selected private library in the world. He constructed a large, fireproof library building on his farm, and these books are all there now, in the keeping of a veteran caretaker.

Some years ago, in a railroad wreck out on the Pacific Coast, many of the passengers lost their lives and were solemnly interred by the generous inhabitants of the town. A young traveler was in the act of registering his name at the village hotel when the cortege returning from the cemetery passed by, and he inquired into the matter. The obliging clerk gave him all the particulars of the wreck, the number of the victims and their appearance, and added that among them was a well-dressed young man who wore on the lapel of his coat a pin of some secret order exactly like the one worn by the traveler. The stranger hastily said: "That pin contains an inscription giving the location and number of his lodge; that man must also have people and be somebody somewhere; his body must

be exhumed and brought here at once, and by wire I will notify his people of all obtainable facts." All this was done. When the supposed victim returned to consciousness, twenty-one days later, there about his bed in that hotel stood his fraternal "brother," and also his only brother and sister—it was Bender! Pronounced dead and actually buried, Bender had suffered a severe shock which suspended animation, but was rescued from his grave by that faithful stranger and restored to family and friends. He was many months in recovering, but the shock had turned the brown hair and moustache to snowy white. Bender's luck, however, followed him; years later he had a severe attack of smallpox, every hair in his head came out, but grew in again as brown as ever! It's all frosted now, for my friend is no longer a boy.

Several times within the past twenty years Bender has been near death's door, and his attending physicians have as often assured him that he must either submit to a surgical operation or cross "the great divide." But his faith in the healing properties of the mineral waters over at Excelsior Springs never once forsakes him. He prefers a natural death anyway, so he always waives the knife and advice aside, is taken to some hotel at the Springs, and so far has always been restored to perfect health. So may it be for many long years.

In business, Bender's motto has always been: "I'll look after my side of the deal; the other side may look after theirs." That's why his millions are to-day intact; but no man can be more generous to his friends. In politics and religion he is a free lance, and nothing gratifies him more than to say and do exactly as he pleases. Sometimes he is a Mugwump and again a Democrat. The next day after our last general election, when Taft was sent to the White House and Herbert S. Hadley to the Governor's mansion down at Jefferson City, I

received from Bender a letter written at the Saratoga Hotel in Excelsior Springs, making this pathetic inquiry:

“Say, is it tru
That Taft pulled thru,
And Hadley too?
Say, is it that
Which makes a Democrat
So dam blu?”

HENRY BOGGESS, Marion County, West Virginia, was born in Fairfax County, Virginia, in 1793, and died at his home in 1891, ninety-eight years old. He was my mother's father, and while not in the limelight all the years of his life, yet he had been a farmer, merchant, county judge, teacher, preacher, and through it all lived on a farm and died as “a country gentleman,” as had all of his ancestors as far as traceable.

The first of the name whom I can run down with any degree of certainty was Robert Boggess, of Fairfax, but when or where he was born I never knew, nor just when he died. Indeed, about all I know to the credit of this early-day Virginia planter, who was the grandfather of my grandfather, is that, as still shown by the early court records, he was indicted (“presented” they politely called it then), along with the immortal George Washington and some other planters of Fairfax County in 1760, for failing to return to the assessors for taxation their “wheeled vehickles.” So he must have belonged to the gentry of his day, and no doubt drove his own pleasure carriages, drank his own liquor, ran horse-races, fought cocks, chased the elusive fox, and generally conducted himself as other gentlemen of his country and time. He had a son named Henry Boggess (born May 7, 1736), who intermarried with a lady of that county of the name of Mary Ann Lindsay. One of this Mary Ann's ancestors is named by

King James, in his second charter to the Virginia Colony in 1609, as "Captain Richard Lindsey," and soon thereafter located upon the James River. The Lindsay family name is spelled fifty-seven different ways, but all the clan that came to America were originally from the lowlands of Scotland, near the ancient city of Aberdeen.

Enthusiastic Lindsays run this branch of our family back to 40 B. C., but to me the claim seems a mere trace until we strike the blazed trail of 1032, and from that time on the family roadway is clear and plain. This Henry and Mary Ann Lindsay Boggess, among their ten children, had a son whom they named Lindsay, and this grandfather of mine was the eldest of the latter's nine children. This Lindsay Boggess lived on his plantation in Fairfax County in the earlier years of his married life, and there my grandfather was born, within the sound of the Great Falls of the Potomac, above Washington.

When I was a boy, as well as later, Grandfather often told me of the mill at the Falls and the canal and its locks constructed around these Falls in 1785 under the personal direction of George Washington.

In the old days I had visited on the Maryland side of the Falls by way of the old canal, but lately there has been established a trolley line on the Virginia side of this river. Two years ago, I took this trolley, and hard by the Falls had no difficulty in locating the site and the ruins of General Washington's old mill, his canal, the old Dickey mansion, and the ruins of the Boggess ancestral home. But curiously strange to me, no one thereabouts could tell me about George's canal locks, nor much else concerning the Colonial history of the place. From repeated statements of facts known only to the olden-timers, however, the solid stone masonry of the old

locks around the Falls were at last found just as the Father of his country built them over one hundred and twenty years before, and civil engineers now say that no architect, engineer, or builder could to-day do a better job.

Near the mouth of Difficult Creek just below the Falls, our George then located and boomed a town once called Matildasville; but it is all overgrown with trees and vines now, and nothing remains of that once populous place save its ruins. This creek still bears its Colonial name, and the woods between it and Drainsville, in Virginia, are still called "Terrapin Woods"; no native knows why, but this is the reason: An erratic old British sea captain once spent a few months in visiting Lord Fairfax, before that worthy removed from near the Falls to Greenway Court over in the Shenandoah Valley, and then called that country "Terrapin Woods" because he there found more land terrapin than he had ever seen before, and he then suggestively named this creek "Difficult" because he attempted to cross it when both he and the creek were "full." Sensible, always.

About a century ago, Lindsay Boggess removed with his son Henry and other members of the family from the Great Falls to what is now Marion County in West Virginia. There they located and were at the forefront in establishing old Gilboa Church, and there in the Boggess graveyard all that branch of the family sleep. That church came about in this way: For generations the Boggess and Lindsay Clans had been staunch Church of England people or Episcopalians; while my father's people were strict Presbyterians. But when Lindsay Boggess and my grandfather, John McDougal, both settled at about the same time on the waters of Dunkard Mill Run, they there found neither an Episcopalian nor a Presbyterian; their widely scattered frontier neighbors were

all Methodists. The Clans Boggess and McDougal were a Godly people, endowed with horse sense as well as piety; they wisely pocketed their inherited tendencies and prejudices as to churchly affairs, worked in harmony with their neighbors, and with them then formed the first church organization in that part of the country as Methodists.

In the chain of title to their first home, still called "Gray's Flats," near that church, some dissatisfied owner of the big plantation once conveyed the title to all its broad acres and the sole consideration for the transfer was "one pair of green leggins."

The first wife of Grandfather Henry Boggess was Nancy Dragoo (daughter of John Dragoo), and I am one of the sons of their only daughter, Elvira Ann. After the death of his first wife, Henry Boggess remarried and reared a large and a good family.

This little digression may be pardoned on the ground of historic and family interest: The first wife of this John Dragoo, together with her infant daughter and only son William, was captured by the Indians near the mouth of Finches Run in now Marion County, West Virginia, in 1786, and in their flight she and her infant were tomahawked and killed by these Indians only a few miles away, and just above where the town of Mannington now stands, while the son, William Dragoo, then aged seven, was carried on into captivity, later married an Indian woman, and by her had two sons and two daughters.

These two sons, named John and Isaac, visited their father's people in Virginia in 1821. My ancestors there became well acquainted with these two half-breed Indian young men (sons of my grandmother's half-brother), and Grandfather Boggess often told me that Isaac Dragoo was the no-

blest natural born gentleman and the most interesting public speaker he ever knew. John Dragoo, Jr., died in Virginia in 1823, and soon thereafter, as a Methodist missionary, Isaac returned to and died among the people of his Indian mother. The second wife of John Dragoo, Sr., was Ann Prickett, whose father, Isaiah Prickett, with his two brothers Josiah and Jacob, came from Delaware, and settled at and built Prickett's Fort, six miles below Fairmont, where the town of Catawba is now situate, on the Monongahela River, in 1772. This Isaiah Prickett, my great-great-grandfather, was killed by the Indians, in a raid which they then made on this fort, in 1774.

At the re-union of Maulsby's Battery, I was East and made a speech on September 18, 1888, on the very site of this old fort, and that address was then printed in full in the *Wheeling Intelligencer* and in the *Fairmont West Virginian*.

In 1866 I spent a day near the Great Falls of the Potomac with my grandfather's old neighbor—a Mr. Kankey, who was then ninety-eight years old, and had known personally all the historic men of the Revolution in Virginia. As we sat there in the sunshine of his home in the hills that spring day, I asked this venerable man many questions concerning these patriots of old, and especially of Washington, Jefferson, and Madison, and with his chin on his cane the old man answered me fully and freely. For Washington as a far-sighted patriot and statesman, Mr. Kankey had the most profound respect; but of him as a neighbor and citizen, from Kankey I then came in possession of many facts not down in any history. The truth is that in private life George was not exactly a saint among those who knew him well, and this accounts for the fact that no history of Washington the man ever has been published, and never will be.

Mr. Kankey had no high opinion of Thomas Jefferson as a statesman; but gave him credit for being "powerful with the pen" when anyone else gave him an idea, while his estimate of Jefferson the lawyer was another thing. Indeed, he then unconsciously paid to Jefferson the highest compliment I have yet heard bestowed upon any lawyer. In answer to my direct question, Mr. Kankey then said: "No, I can't say I know a great deal about Thomas Jefferson as a lawyer; I have heard him try a lot of cases; I have been on juries and heard and seen him in trials, but he never exerted himself, nor made a big set speech; he didn't have to, *for he was always on the right side.*" Mr. Kankey held in unbounded esteem the character and achievements of Madison, as well as many other public characters of his native State, and was still blessed with excellent health and a great memory. In then listening to his great talk, I caught a glimpse of the men and times of the long past. But it is probable that Mr. Kankey drew his political prejudices from that faction of our earlier patriots who followed the national policies of Washington and Marshall, rather than the State supremacy theories of Jefferson; for throughout our country, and especially in Virginia, the student still finds strong traces of these two schools of American politics.

In all his adult life this grandfather of mine was a devout Methodist, a reader and student of the Word, and from my earliest recollection always read from the Book, for to him it was all the word of God, and held family prayers twice every day. How often he thus read through his old family Bible, or the new one in the last seven years of his life, I do not know; but when he was seventy-two years old he purchased a new Bible, which is now here in my office desk, and in his own plain, round handwriting in this particular copy

are his original entries which show that between 1865 and 1884 he so read this copy through from beginning to ending fourteen different times, his latest written entry being this: "December 20, 1884. Finished reading this book through in my family, morning and evening, fourteen times, from Genesis to Revelation."

Henry Boggess was a staunch Union man throughout the Civil War, and died at ninety-eight, one of the most remarkable men of his times. His home paper then said of him that he was one of the ripe scholars of his day, a student and thinker of most tenacious memory, and added: "He knew as no other man did the personal history of every prominent man and family in the Virginias, the reasons for and the leaders of every political change in the history of our Government, and was able on the instant to recall dates, names, reasons, facts, and knew and understood all; not only because he read and thought, but because he had lived through and was a part of all of it. Reared near Mount Vernon, he often saw the great Washington, and for many years past he was the only person living that personally knew and distinctly remembered to have seen and attended the funeral of the Father of his country. He was a walking encyclopedia of our country's rise, progress, greatness, glory, and history; never wearied in imparting his knowledge, and the death of this time-worn patriot and patriarch broke the link which bound the present to the past."

ALBERT BRISBANE, Paris, France. Although a native of New York, for many years prior to his death in 1890 this eloquent, learned, traveled citizen of the world at large often said to me that there was but one city in the world in which a cultured white man ought to live, and that was Paris, in

France. There, and there only, his wandering feet found rest, and he loved his home in Paris as no other spot of earth. His only son, Arthur Brisbane, is now making his mark through New York newspapers, and in time may rival his father in intellect, as he is now easily far ahead of him in practical knowledge of the world.

When first I met him, he was far past the allotted time of man; but was strong and vigorous in body and mind. He had then been the lawful husband of three wives and in various countries had accumulated nearly as many concubines as the Book credits to the account of the sweet singer of Israel. His first wife was Countess Adele, with whom he lived for a time in Italy. Their affection for each other was so great as to be oppressive to both, and largely on that account they separated. She became the wife of an Italian nobleman later; but their friendly visits were kept up and they each wrote to the other until her death, only a few years before his. He once made a visit to her at her chateau, during which her Italian husband had the extreme courtesy to go off to the city. As they were sipping their wine alone one evening, in a most pathetic way, he told me of the accidental meeting of their hands upon the table. No word was spoken, until in Italian she finally asked: "O my friend, can any woman ever forget the father of her first-born?"

Not many years before he sold out his interests here, a woman who claimed she was once his wife and said he had often introduced her to others in that way, brought suit in the Federal court for alimony. I was not his attorney, while my friend was. One evening Mr. Brisbane told me the whole story, and seeing clearly that this woman must recover a judgment against him, I advised a compromise, which he said would not cost him over two or three thousand dollars.

His conduct had not been exactly circumspect and her legal rights were plain. So he said he would settle the matter the following day; but did not. Then I again urged him to settle the case quickly, and finally said: "Mr. Brisbane, I know the law, as well as lawyers, and am now certain that you have not told all the facts to Judge Dobson, for I know he would advise you just as I have." After some hesitation, he admitted that my diagnosis was correct; but justified himself and paid me this left-handed compliment: "No, I didn't tell the Judge all the facts; the truth is, I couldn't, for he is too nice a man!"

Of all the great Americans Mr. Brisbane met and knew in his long life, he died in the firm conviction that far and away the biggest of them in all ways was John C. Calhoun, of South Carolina. On his return home from foreign lands in 1842, he met Calhoun, who was then in the U. S. Senate. For a quarter of a century Mr. Brisbane wrote a column in the *New York Tribune*, then edited by his friend Horace Greeley, devoted to "Social Reforms," and naturally he and Calhoun discussed that subject. He told me that in their six night discussions their conversation once turned on the then all-important question of negro slavery, and that in answer to an interrogatory of his, Calhoun in plain, unmistakable language laid down this proposition: "As an abstract question, I never have, nor do I now, favor negro slavery; but as an American citizen, and from the position I occupy presumably an American statesman, I believe in and favor the institution of slavery in our country, and for this reason: The only danger which can ever threaten this or any other republic is that danger which may arise between capital and labor. Negro slavery now exists in say one half of this country—the South. In the South, therefore, our capital

owns our labor, and so long as that condition exists, there can be no conflict between the capital and labor of that section of our country. But abolish slavery there, and the danger which I fear between the capital of our country on the one side and our labor on the other, will first manifest itself in riots, strikes, and the like in the North, and this trouble will in time spread throughout the South and our whole country, as well. When that evil day comes, if it ever does, then farewell to a republican form of government on American soil, for this country will then suffer the curses of anarchy." This impressive recital by Mr. Brisbane of the gloomy yet prophetic fears of the great "nullifier" came to my mental vision as a sort of revelation, and I then inquired what, in his judgment, would be the ultimate result. The far-sighted old seer earnestly answered: "Sir, upon that question I have always believed that Calhoun was both honest and right. Look at the situation: Only two decades have elapsed since freedom came to all American slaves. It was a great institution, but a greater curse, and I am glad the negroes are free. But the fears of Calhoun may yet be realized. This Government will outlive me; it may not exist always."

After realizing fully that much of the world's wisdom must die with Mr. Brisbane, I urged him often to either write out his reminiscences or talk his life-thoughts to some friend and let a stenographer take it in shorthand. But he was too much given to analysis to write, and many a time asked. "What's the odds what I have either seen or thought? Who would either read or understand?" He was as modest as he was great. Finally, however, his good wife prevailed upon him to talk of his life and thoughts and theories to her, in the gardens of their Paris home, and these she had

a stenographer take down. The result of all this was a book, which was prepared and printed by her after his death, entitled "Albert Brisbane: A Mental Biography." When Mrs. Brisbane's materials were all in manuscript, she brought it to this country and to me, as one of his closest living friends. Together we went over all the matter in 1893, and while it was all interesting and good, yet it did not satisfy me. I recall especially the Calhoun incident of 1842, which I here give, and Brisbane's talk on that subject in the book is not at all as he told the story to me in 1885.

When the volume was printed, I again read it, and on the fly-leaves of my copy of the book then wrote two notes of my own recollections of the man, which are here reproduced:

NOTE 1: "On January 1, 1885, I removed my law office from Gallatin, Mo., to this city, and took a suite of rooms, used for offices and temporary sleeping apartments, in Delaware Block, corner of Seventh and Delaware Streets, then owned by Albert Brisbane. Here I lived until the removal of my family to the new home, 2433 Troost Avenue, on September 1, 1885.

"My friend Judge C. L. Dobson, the attorney of Mr. Brisbane, had an office near mine on the same floor. Attracted by the splendid, thoughtful face and preoccupied manner of a venerable gentleman whom I often met in the building, in answer to an inquiry, some friend informed me that he was my landlord—a man of great learning, extensive travel, rich in mind and purse, and—a crank! That interested me; but, as he paid no more attention to his tenants than if they were so many wooden men, there seemed no probability of an acquaintance until one day both happened in Judge Dobson's office. The Judge and I were discussing foods, and after he had given at some length his views as to what, when, and how one should eat, I gave him my daily diet: breakfast, coffee and hot rolls, or hot corn cakes; midday lunch, a bowl of soup, or a piece of pie and a glass of milk; and at six P. M. a good meat dinner; and I added that in many

years had not been ill a single hour. Hearing this, Mr. Brisbane rose, walked rapidly to me, and warmly grasped my hand as he exclaimed: 'Egad! sir, you are a wise man; I want to know you, sir.' Together we went into my office, where he questioned me closely concerning my life, habits of eating, sleeping, thinking, working, etc. I had simply fallen into these habits; but he, by years of study, observation, and reflection, had reasoned them all out, and seemed to me to be the absolute master of the theory of correct living.

"This was the beginning of our friendship. In him I found by far the best talker I had met; in me he found a good listener, and as this always makes good friends, we found the association so pleasant and interesting that during these eight months we spent almost every night together in my quarters. His rooms were just above mine on the next floor, and early each evening it was his custom to step into the hall and call to his valet: 'Eddie, bring down a bottle of that Bordeaux and some brown bread and butter.' These were promptly brought and placed between us on an office table, and from that time on till two and three in the morning, without interruption, we two were there alone, sipping the rare wine, nibbling the brown bread; and such talks as he gave never before, in my judgment, came from the lips of man. With as little reserve as Rousseau gave to the world his 'Confessions' did Mr. Brisbane give to me the history of his strange career, and the latter was by far the more interesting. He had commenced travel abroad at eighteen; spent about two-thirds of his eventful life in foreign lands, and left the imprint of mind and foot in every country and clime known to civilization; had personally communed with and been the student or associate of the world's greatest and best thinkers and had walked and talked with the world's rare and radiant men and women who had lived during the past sixty years. The languages, history, literature, poetry, music, philosophy, arts, and sciences of the wide world were his; and better than all the men and women to whom I have listened and after whom I have read did he know how to impart and make plain to the unlearned and untraveled his encyclopediacal knowledge. To me this rare gift is one of the tests of greatness. He accepted the theory of neither God nor man nor woman upon any given proposition; but,

like the one great pioneer of thought that he was, fearlessly and alone plunged into what at first sight to him presented itself as a trackless intellectual desert, and by his rapid, matchless, original reasoning made it blossom and bloom until the mists were all cleared away, and he knew and understood the question from his own standpoint, for himself, upon his own theory.

"He inherited all his wealth, never made a dollar in his life, was wholly lacking in what the world calls practical sense, cared but little for the present or future of the individual, and, thinking and dreaming his life away in an honest, earnest, noble effort to better the conditions of aggregate humanity, his greatest misfortune was that he was born two centuries before his time.

"Of tragedy and drama his life was filled; in it there was not the faintest trace of comedy, while for his use the usual side-splitting joke required a diagram. He was all earnest, serious intellect, analysis, and logic. But the dear old dreamer is dead; and with his life there went out the clearest, purest intellectual sun that ever cast its warm light upon the mental darkness of his times. Few will understand this estimate, because few knew the man.

"After carefully reading this book, I confess to deep disappointment. The 'character study' of the devoted wife is as true as it is charming. Every thing touched upon in the book, and a thousand others, he discussed with me; and while the book will live and be enjoyed by every thoughtful reader because of the glimpse it gives the world of this marvelous man, yet those who knew him well, as I did, will find upon almost every page evidence of the restraint that trammelled the modest soul—he knew he was talking through a stenographer to the world, and that embarrassed him. I miss the freedom and the freshness, the fervency and the clearness, not less than the charm of manner and the indescribable flow of the direct, simple, easy, and eloquent delivery, that characterized all his talks over the wine and the brown bread in my office during those rare eight months in 1885. Had I but possessed the foresight to secure and secrete a stenographer and have him take down all that was said during those never-to-be-forgotten nights, so high is my appreciation of the man's wisdom that I would rather have those talks, in manuscript even, than to have every book in my library. A little money

would replace the library; not all the world's wealth could accurately reproduce his talks; and yet, for this imperfect production, I am profoundly thankful." (1893.)

Brisbane v. Dean.

NOTE 2: "In the summer of 1885 I had offices in the Brisbane building, at the corner of Seventh and Delaware streets, and there brought about and was present at the first and only meeting of Albert Brisbane and Henry Clay Dean. Each thought for himself, but their lines of thought were radically different.

"From my boyhood I had known Mr. Dean, and while he was regarded by many as a revolutionary crank, I sincerely admired and respected the man for his moral worth, gentle nature in private, rare courage and combativeness in politics and religion, not less than for his vast acquirements. No man that I have known possessed such accurate information, such wide personal knowledge of persons and places, men and things in America, and his wonderful memory enabled him, without a moment's hesitation to recall and utilize all he knew. His faith in Democratic politics, the Christian religion, and the rights of persons and things, as fixed by law, bordered on the sublime, and he was never so happy as when defending his faith. If he did not quite hold all these in contempt, Mr. Brisbane certainly had contempt for one who did not get beyond or above them.

"Well, Mr. Dean happened in my office one day, and, curious to note the result of a meeting of these two friends, I simply said to him that I desired to present my landlord, went out and brought in Mr. Brisbane, and, without a word of explanation, introduced them. Courteous greetings over, Dean looked from under his shaggy eyebrows at Brisbane and, in his peculiarly squeaky voice, said: 'McDougal tells me that you are his landlord. Do you own this building, Mr. Brisbane?' Being answered in the affirmative, Dean continued: 'A very fine building, Mr. Brisbane; must have cost \$100,000. About forty years ago, Mr. Brisbane, I read an English edition of Fourier's works, written by a New Yorker of your name—are you related to the crank who wrote that book?' With a trifle of warmth, Mr. Brisbane answered: 'Egad! sir, I'm the man that wrote that book.' And then came this hot shot from Dean: 'If you wrote that book, sir, and have not repent-

ed of and been forgiven for your sin, you have no business to own this or any other building, or any property of any kind anywhere, sir.' And his voice thundered as he added: 'For the author of that book was a socialist—a damned communist, sir—who should be thankful that American citizens who claim and have the right to own property under the laws will give him, when he dies, all the property his carcass deserves—three by six, sir.'

"This was the opening gun of a contest royal, which lasted for two hours and forty minutes by the watch. The mighty gladiators were equally at home; they fought, not with sandbags and bludgeons, but gleaming broadaxes and dazzling rapiers; blows, never below the belt, were given and taken; powerful arguments logically advanced were as powerful answered until to me the sole witness of that battle of giants, it seemed that the broad ocean of social reform was lashed into fury, and that the storm, grand as it was inspiring, shook to its foundations the mountain of religious belief.

"Dean had the vantage-ground of practical thought, close observation, wide reading, and accurate knowledge of fact and data; Brisbane, that of world-wide travel and association, profound study and reflection. Dean argued from the laws of God as found in the Bible, and those of man as found in written constitutions and statutes; Brisbane brushed all these aside and squarely planted himself upon the laws of nature, untrammelled by the laws of man, free from those laws which men said God had made, and argued from conditions and situations, men and things as they were, not as perverted, superstitious, ignorant men said they were.

"They differed upon every fundamental principle which underlies every social and religious problem—widely differed; yet each maintained his position, and from his standpoint argued with such marvelous skill, ability, learning, and eloquence that I should have felt sorry for any other man in the place of either.

"I loved these old leviathans and never wearied in observing their splendid achievements in the sea of thought, but, seeing that both showed signs of fatigue, I reluctantly closed this memorable controversy, satisfied then, as I am now, that I should never witness such another.

"With his usual politeness, Mr. Brisbane bade us a courteous good-day and retired. After minutes of reflection, Mr.

Dean turned to me and said: 'McDougal, that friend of yours is the most dangerous damned communistic crank I ever met. Thank God, there are but few such men living.' Later in the evening Mr. Brisbane came in and asked: 'Who and what is that friend of yours, Mr. ——? I don't remember the name.' I answered: 'Henry Clay Dean, who started in life as a Methodist preacher back at my old home in the mountains of Virginia; was chaplain of the United States Senate in the early '50s; came West just before the war; quit the pulpit for the lecture platform and the law; is a student, thinker, and philosopher who is on familiar terms with perhaps a greater number of American statesmen than any one in this country.' After pacing back and forth for some time, Mr. Brisbane, as if speaking more to himself than to me, said: 'Yes, I see; I see. He has not outgrown his early superstitions; is a very remarkable man in some respects, but as near a lunatic as any man I ever saw outside of an insane asylum.' " (1893.)

CHARLES E. CARHART, Chicago. This globe-trotter, genial gentleman, accomplished writer, thinker, and worker many years ago was on the editorial staff of one of our Kansas City newspapers, and later on was at the head of one of our institutions of learning, but, born with the curse of wandering foot, he strayed off to the ends of the earth again one fine day, just where, or why, nobody knew; but I understand that he is now a sober, sedate, useful, entertaining, instructive, scholarly citizen of the great windy city by the Lake. How long he will remain there, God in his wisdom may know, but I am sure no one else does. Nor is it known to mortal just where he will go, nor when, nor how; but in the long run he will doubtless drift back to America, for, like all other good animals, he always returns to his *habitat*.

Along in the early '90s, he and I were both members of the same Shakespeare Club here, along with Fred Howard, D. Web Wilder, John C. Gage, Dr. Brummel Jones, Noble L. Prentis, Judge Gillpatrick, and a lot of others. Our name

should have been changed to the "Don't Giveadam Club"; but maybe it was just as well. Anyway its makeup was the only one I ever knew about that to me was just right. It had no constitution, by-laws, officers, rules, regulations, or hours. Its aggregation just simply came together at the office of Dr. Jones, at such times as might suit the individual, but always once in each week. The fellows were the brightest, brainiest in town, and every man save myself knew a lot about Shakespeare, which I did not. The general scheme was to sit around as long as one wanted to and read and talk about the immortal bard of Avon. Such papers as were read and such talks, I never heard, nor did anyone else. Some one was agreed upon every week to prepare and read to the others, at the convenience of that person, a given paper, upon a given Shakespearean subject. One night there, Carhart, or someone, requested me to write on and answer the question, "Is Hamlet Insane?" I never knew anything about the subject, but, as I was loyal to the club and rather fond of writing once in a while anyway, I said I'd do it. I bought a paper book "Hamlet," without note or comment, and religiously studied that play, from the standpoint a lawyer would most naturally take, and completed and read them my work in 1895. My intention was to polish the paper up, and re-write it, for I was rather proud of the effort, and after all that was done, thought I would print it some day for the edification of the faithful. By either good or bad fortune, I was sued by a bank on that very day for many thousand dollars more than I was worth, and then happened to leave my paper in the Doctor's offices, as I rushed off to take a midnight train for Boston. All the evidence was in New England. I was gone East taking depositions in my case for six weeks, and on my return was surprised to know that this crude effort, just as

I left it, had been printed in Kansas City, New York, and across the water. Then, too, I must have builded wiser than I knew, for on my desk I found many letters from professors of English literature in both countries, saying that my paper was the two hundred and eighty-eighth book or pamphlet on the same subject, and was the first answer on either side of the ocean to the same question, to be answered from the standpoint of a lawyer. All this was new to me; and then five hundred reprints of my paper were on my desk, with the compliments of my fellow-clubmen.

Ten years ago I spent the summer up at Grand Haven, Michigan, and on my return stopped for a few days in the apartments of a friend at Chicago. For some years I had neither seen nor heard of Carhart. But one evening, on going down on the trolley toward the Palmer House there, I espied this genial Bohemian walking along in the same direction, and alighted at the next crossing and greeted him. Right by that hotel corner we ran into a band of Salvation Army workers, just as they commenced to sing some old hymn familiar to both, and, as he had a sweet voice and I a loud one, for some unknown reason we joined in the song. At its conclusion the captain in charge looked us over and I knew was ciphering out in his mind just which one of the two to call upon for a prayer. As my friend was growing a little bald, wore glasses, and had a sort of pious, clerical look anyway, the selection fell upon him, and such a powerful prayer as that gentle pagan then offered is seldom heard. With him it was purely a question of skill, and he had it. Then we drifted on, and, at my invitation, landed in my temporary quarters, where we talked most of the night. But very soon after reaching there, Carhart said: "This reminds me of a night I spent just two years ago with an English

friend of mine in Bombay, India. Together he and I had toured Ireland and Scotland on foot some years before, and of course were quite chummy. On this evening we met by chance, and he invited me to his apartments in Bombay just as you have to yours in Chicago, and gladly accepted. But we had only been in his rooms a short time when he asked if I remained the some incorrigible Shakespearean fiend I used to be? I replied to the effect that I was, because that disease seemed incurable; when he opened up a British magazine on his table and said: 'Here is the most remarkable bit of Shakespearean literature I have ever seen.' I picked up the book, glanced at the article, and saw that it was your answer to 'Is Hamlet Insane?' And I then said to him: 'This is a little world, after all. Now, I have known McDougal very well for many years; we were once members of that same Shakespeare Club, and I was present at Kansas City on that evening and heard him read this paper.'"

Carhart's nativity? No, I am not sure about that, but assume that he is an American. One who listens to him for half an hour as he either talks in most of the living or swears in all the dead languages, as I have, will never think to ask him that question.

One of his mottoes for years has been, "A man that is worth saving can always stand the truth." And maybe he had this in his mind not long ago when he commenced one of his letters to me this way:

"In the name of the Holy of Holies and upholding the palladium of our liberties, the Declaration of Independence, (and I don't give a continental whether Thomas Jefferson perpetrated that on his own hook or copied it from the Mecklenburg,) I send you greeting and hope that you are still as dissatisfied with this thing we call civilization as you know I continue to be. In order to make sure that you get at the

gist of this introductory paragraph, I want to repeat the word 'greeting,' and hope that after a few moments, while in the enjoyment of its essence, you will forget all the confounded noise coming up to your office from Ninth Street."

RICHARD CAVANAUGH, of White Oaks, New Mexico. Those who have known this delightful Irishman longest and closest, content themselves by simply calling him "Dick."

Dick was born on Erin's Isle about seventy-five years ago, came to America; and the year 1855 finds him a private soldier in the old 2d Dragoons, U. S. Army, at Fort Leavenworth. From that time on up to this day, Dick has been by times a soldier, a wagon-master, stage-driver, miner, rancher, cowboy, and always on the frontier. So he came to know the peoples and places on the border, from the Missouri River westward to the Pacific Ocean, better than anyone I have met. With generals in the Army, as well as with Presidents, and with officers of railroads, he was on the same easy and familiar footing as with soldiers, ranchers, teamsters, hunters, and cowmen. With Dick they were all simply and only *men*. Who shall say he was wrong? He never married, never troubled himself about anything, is blessed with that uncommon human attribute called common sense, and in some way absorbed and knows more than most of his fellows of men and women and books, and such an interesting talker as he, one but seldom finds.

He was, and no doubt, among his old comrades in the Soldiers' Home out in California, to-day remains the most artistic, accomplished, picturesque, and encyclopediacal liar in the universe! In peace and war, on land and sea, lake and river, I have met and known many artists in Dick's specialty, and here draw no line, nor make any invidious distinction, but to me he presents himself as the absolute master of

his craft, and among them all stands without one single rival.

Looking as innocent as a baby, with laughing blue eyes, and rich brown hair and moustache, untouched by the frosts of the years, and with an *Erin-go-bragh* brogue on his lips that is calculated to deceive the elect, Dick Cavanaugh whiled away many, many long hours for me when I was ill in my cottage down at White Oaks, New Mexico, during the summer of 1902. His marvelous fund of harmless, half historical, half mystical yarns never grew stale or tiresome, and it was always a pleasure to listen to the music of his voice. Among unnumbered other stories, with his pipe upside down more than half the time, I recall now just how he looked and talked as he sat out in front of the bed on which I lay one night down there, and told me the wonderful story of the great Indian fight at the Adobe Walls in an early day down in the God-forgotten Panhandle of Texas. He was in the battle; but how few of our men, how many of the savages, how many of the whites within the walls were killed and wounded, or how many Indians there bit the dust, or how many days the battle raged, I never could recollect. But anyway, our side was victorious in the end, and God only knows how many of the dead Dick helped to bury. About all I could recall was that it was a great fight and a greater victory. After I got well and came home, I sent Dick a series of typewritten questions concerning this fight, its exact location, etc., etc.; but he wisely refused to go on paper and never answered; and while still hazy on this historic battle, Dick's story about it will never be forgotten. My intention was to print it as Dick's story, with his rich Irish brogue, his fancy profanity, and his hellity devilty cussity dams all thrown in, and I still believe he suspected this and for that reason alone failed to answer me.

Among other merchants who freighted immense stocks of goods into White Oaks in early boom days were two Hebrew gentlemen whom I recall; the one was always referred to (but not in disrespect) as "Whiteman the Jew," while the other was a Mr. Weed. With these, as with others, Dick was a prime favorite, yet nothing afforded him higher pleasure than to tell many stories about them. Of these: A newly arrived preacher named Miller, a good fellow whom I later knew, once went into Whiteman's store and in his breezy way asked: "Ikey, blease look through ther stock and see if ve haf idt." After a long search, Ikey reported that the article was not in stock. Then Whiteman turned to Miller and said: "Ve dondt haf idt in our stock yoost now, and if Veed dondt carry idt, you 'll not findt idt in town." At another time Mr. Weed's bookkeeper had milked a tenderfoot for \$2,700, covered up the theft, and left town with the money. A row was raised about it, and the committee appointed reported that it must be an error, as Weed's books balanced. Whiteman remarked: "That seems square, but vill Veed balance?"

On the White Oaks face of a great triangular boulder that juts out from the mountain side a mile below that town, preacher Adams once painted the legend, "Prepare to meet thy God," while some graceless cuss on its other face later painted, "Stop and eat your meals at the White Oaks Hotel." Reading the two inscriptions always brings a smile. No one knew, but I have always suspected Dick of the addition.

In my wanderings through New Mexico, just two of the many digs at my home State now seem worthy of preservation: Down there years ago, I was attracted by a scrawled pencil epitaph on the headboard of some dead cow-

puncher, which, after the name and date of the untimely decease, simply said: "He was a mene man in some things, but a damsite mener in others." Inquiring into the history, etc., of the man who could merit such a send-off, my friend Dick Cavanaugh waived all this aside and said: "Be Gad! sor, that eppitaff was stole bodily; I saw it with me own eyes up in Idyho way back in war-times; you see, sor, a Missourian refugeed to that Territory then to keep out of the bloody war, and not long afterward the vigilantees of Idyho had to hang the cuss for stealin' horses, and they put that very eppitaff on his grave-board."

Through the ungodly heat of the desert down there, I was driving on a buckboard toward White Oaks in 1902. Hot, grouchy, I had said no word to the driver for perhaps thirty miles. But as we got out of the sand and started up Ancho Cañon, in the Jicarilla Mountains, I chanced to see to our right a poor, unshorn, bewhiskered, dark-skinned individual sitting in the shade of an adobe shack, all alone. Just why I then said anything must forever remain one of the mysteries of that country; but anyway I jerked my right thumb in the direction of this lone stranger and inquired of my driver: "Mexican?" He glanced at the forlorn, silent, motionless figure a moment, and then answered: "Nope, Missourican."

Like the rest of us, Dicks knows that man contends and fights in youth, is careful and cautious in manhood, and is mellow, charitable, and conservative in old age; yet, unlike the few we meet, these considerations never bothered him; this cheerful liar was never known to lie awake nights congratulating himself that he was incorrigibly virtuous; nor in solving problems relating to the unknown; nor in violating the wise injunction he once struck on the Pacific Coast—"Don't

take yourself too dam seriously." Semi-occasionally he becomes hostile, dons his blanket and war-paint, and wanders from the reservation for some days, and maybe his life has been a little seamy on both sides; but, like that other serene animal, he always returns—"and the cat came back." So it is hoped that some of these fine mornings will find good old Dick smiling his "howdy" to his friends, back among them again at White Oaks.

WILLIAM F. CODY ("Buffalo Bill"), Nebraska. Attention is here directed to Bill for the reason that the whole world knows him through his Wild West Show, and he is a good fellow to meet and know anywhere; but especially on account of just one story not generally known:

About 1887 he and I were guests of the Paxton Hotel, at Omaha, and one morning about nine o'clock met in the hotel office. The big, handsome frontier showman invited me to repair to the bar for a "mornin's mornin'," and I declined on the ground that I had just had my breakfast, and it was too early anyway. To save the human life of a very human friend, I finally yielded. Bill backed up, put his elbows on the bar counter, and as he stood that way said: "My mental and physical condition this morning is precisely the same now as it was way back a long time ago when I was a member of the Nebraska Legislature, and had then, just as last night, been having a time of it with the boys down at Lincoln; maybe we toyed with the cards and the liquor not wisely, but too well. Anyway, the next morning I started down toward the State-house with old Colonel A., who was also a member, and the old fellow tried to talk with me on many matters. He got no response, for I had a head that you could eat grass with and didn't talk; at last he stopped and said: 'Say, Cody, do you know why you now remind

me of some of our counties down in southwestern Nebraska?" I said I didn't, when the old chap explained: 'It's because you are not worth a damn without irrigation.'

CHARLES GORHAM COMSTOCK, of Albany-St. Joseph, Missouri, was born back in New England, "time whereof the memory of man runneth not to the contrary," came to Missouri long before the Civil War (in which he rose to the rank of colonel), settled at Albany, where he held many public offices, amassed a competency, and now keeps up establishments at both Albany and St. Joseph, while he and his good wife spend their leisure months in foreign travel. Never in robust health in the forty odd years I've known him intimately, this modest, retiring lawyer, thinker, student, banker, farmer, gentleman, has imagined himself by times the victim of every disease known to man, but still studies, works, and travels like a boy.

I first met him at a hotel in the little town of Jamesport in 1868. He was ill and I a law student over at Gallatin, the county seat, ten miles away. My time to me seemed very valuable then, but was of course not worth much. I say of Comstock now, as long ago was said back in Virginia, he bore in his face two letters of recommendation from God Almighty—he was sick and a stranger. So I remained there and nursed him back to health. Ever since then we have been much together, each at the home of the other, in the cities of this country and as far southwest as in old Mexico; while in the conservation of his vast and varied interests, the services and advice of no lawyer satisfy him quite so well as those of his life-long friend.

In going into New Mexico with him in 1881, we spent several days each at Las Vegas, old Santa Fé, Albuquerque,

Socorro, and White Oaks, thence up to our mines in the Gallinas Mountains, where we spent that summer. We arrived at Las Vegas the day the news came to that town that Pat Garrett, Sheriff of Lincoln County, had just shot and killed that greatest of the outlaws of the Southwest, "Billy the Kid." At Socorro we were wined, dined, and feasted by my brother Luther, who then kept the Park Hotel at that ancient Spanish village; but our most glorious treat was found in the rare Muscatel vintage of the monks of the earlier years, and that wine was never once missing from our table. If here printed, a complete recital of our tragic and comic personal experiences for several of the days following Socorro, few would read and fewer understand, for not many traveled through that far-away country in that day; but our efforts to get away from the town, our attempting to and finally crossing the then raging Rio Grande del Norte, being lost in the desert after dark, the buckboard trip over the Oscuro Mountains at night with a surly cow-puncher driver, heading the Mal Pais, and at last finding our friends at the White Oaks mining town, and going thence, via the fleas at Hocradle's Ranch, to our mining camp, forty-five miles north of White Oaks in the Gallinas Mountains, would alone fill a volume. What's the use?

From our camp in the mountains that summer, we made frequent hunting and fishing expeditions, and around there somewhere I now recollect that, worn and tired out with our unaccustomed chase, we one day sat down to rest high up on the mountain cliff. Something in the surrounding scenery impressed me, and I sang an old-time song in a voice that is now never heard. The Colonel quietly listened and, without a smile, simply said: "It's a hell of a pity you were not born blind." Colonel J. H. Shanklin, Dr. Edward Mor-

ley, William J. Spence, and many others were there in the camp with us, while Robert M. Gilbert, lovingly called "the old war-horse of the Pecos," was our cook. Antelope, deer, and mountain trout were supplied us until any kind of bacon became a luxury; cards were daily played, cords of novels were read, and all reveled in the unrivaled forests and nature. That was the first full summer any of the party had ever spent forty-five miles away from a town, post-office, daily paper, human settlement, or white woman. Our mines were located in the mountains wherein the Indians of old hunted and camped, and the men mentioned were all officers of our company. We all knew that a mine-owner was properly defined as "a dam fool who claims a hole in the ground"; but we were after fun and recreation, and got both. Toward the last of our stay, the descendants of these same original Americans went upon the war-path, and were reported in the States to be killing men all around us. This, however, did not trouble us, for we were unconscious of their presence. In coming out of the mountains that fall, we met a Government wagon-train on the Pedernal Mountains. The men in charge urged us to return and go southward with them, for the reason that on the day previously they had encountered bands of the painted war-path red devils in Cañons Blanco and Benou. We knew our road led us through these two cañons, and held a council of war. But among the four of us, Colonels Shanklin and Comstock, myself, and our Mexican guide, we found we aggregated sixty-six shots, with ample ammunition. Hence it was agreed that we drive on to the railroad at Las Vegas. Through our field-glasses we saw painted Indians, on the war-path, in these two cañons that day; but I had the reins and worked the brake, and at the end of a sixty-five-mile drive, we arrived before nightfall at the Baca Pass

on the Rio Pecos, and all our troubles were over. For their rainy season was still on, the Pecos was raging, and not less than 300 persons were then waiting on the banks for its waters to subside so that they might get across. Then our old friend, Tom Osby, with his alleged Mexican wife, lived at and was keeping the Pass, and Tom cheerfully supplied us with German kümel and a place to sleep on the ground and under our buckboards. None of that party will ever forget the marvelous rapidity with which Tom's liquid fire went to the tips of our fingers and toes. But we ate, rested, and slept that night.

Together Comstock and I journeyed to New Mexico again in 1900; but then by rail via Fort Worth, El Paso, and Carrizozo, and thence by buckboard to White Oaks and on up to the mines. We left Kansas City on the day of McKinley's second election and got the satisfactory result on the train. In his daily walk and conversation no man could be more truthful than Colonel Comstock; but upon our return we went from El Paso over into Old Mexico and there purchased a lot of little presents for loved friends. I was then an old hand at that business and in my travels had learned the important fact that every woman is a natural born smuggler. Following their illustrious practice, it was easy for me to get through the customs officials all right on coming back; but when Uncle Sam's servant stuck his head in our car and, as usual, asked, "Anything dutiable?" I was astonished to see Colonel Charlie look him squarely in the eye and hear him respond, "Nothing." Just how he squared his conscience with that response I never knew, nor asked.

Upon our return from El Paso, at the station there we awaited a later train connection, and this gave us an opportunity to study three ragged hoboes who had been up all night

long celebrating the coming separation from one of their number who was to go eastward on our train. One was Irish, another German, while the third must forever remain without classification. Maybe he was a citizen of the world, a cosmopolite, but he was certainly just as dirty, noisy, and as drunk as his fellows. They occasionally drank "red licker" out of a bottle, and talked, wept, and sung songs the rest of the time. We drew nigh for closer observation, inspection, and contemplation, and I never so strongly realized as on that morning that one first-class Bohemian and hobo sadly missed his calling the day I chose the legal profession. Wobbling around the station grounds, holding on to each other to keep from falling, the trio unconsciously presented an apt illustration of the old Kentucky motto, "United we stand, divided we fall." With many a halt and stumble and jerk, all out of tune, to the air of "Just as the sun went down," they gave us one song, the chorus of which ran this way:

"The Kid held—a brickbat—in his right hand,
Another—was held by—McGowan.
The Son—called his Father—an A. P. A.—
Just then—the Son—went—dowan."

One night about thirty years ago, in his office at Albany, the Colonel gave me all the known facts relating to what then seemed the most complex and mysterious land proposition of my practice. In brief they were: That originally this land stood on the public records in the name of one Walter McDowell; it consisted of a large tract on the Empire Prairie, where the thriving town of King City is now located, was then worth about ninety thousand dollars, and no one else claiming to be the owner, Comstock had first taken it in on a tax title deed and it was later conveyed to him by a man by the name of Walter McDowell, whom he was beginning

to suspect was not its lawful owner; and a firm of St. Joseph lawyers were threatening suits to recover the property. The Colonel's lawyer-like recital of all these facts so impressed me that at the close of his story I asked, "But who the hell is Walter McDowell?" The solemn and only answer was: "I would give ten thousand dollars in gold to know." The results of our joint efforts were that to every postmaster in America an inquiry was sent to ascertain the real man; a detective was kept employed for many months searching the country; but the right party was not located. Meanwhile we learned that our deed had been given by a Pennsylvania mountaineer who never owned a hundred dollars' worth of property in his life, and that it was worthless. Following up some now-forgotten clue, the Colonel then sent me to Chillicothe, Ohio, and thence to Philadelphia and on to Slatington, in Pennsylvania, and at these several places the true facts and simple were finally ascertained to be: That the real Walter McDowell was the "ne'er do well" son of a large Scottish family, from whom he had early run away, joining the British Army; that while in the service of that Government as a drill-master, he had married, reared a family, died, and was buried in Gretna Green, Scotland, in 1848; that in ignorance of all this, his wealthy brothers, then Americans, had purchased this land and taken the title in Walter's name about 1855, to make a home for him and his family. In my desk here now is the retain copy of the written opinion given to the Colonel on my return, to the effect that, under the authorities, neither Walter's surviving children nor his family could recover the land for each or either of the two reasons there given. But the Colonel thought he might soon die, was determined to settle the case out of court, and gave me written authority to draw on him for twenty thousand

dollars for deeds from the McDowell heirs. My protestations against this unnecessary expenditure of so much cold cash were practically unheeded, but I did get time to write to and hear from the attorneys for the heirs. When completed, after a labor of more than half the night and the smoking of twenty-four cigars, that letter I wrote them read either one of three ways—it all depended upon the way it was roared; and then, upon its approval by the Colonel, I copied it on a half-sheet of legal cap, just as if it were written at the noon hour in court and on the spur of the moment, and mailed it. The net result was that Comstock procured his deed from all of the McDowell heirs for just eight thousand dollars.

That lawyer who always practices in the city misses a lot of the fun of the country circuit. Among the many land cases I then tried for Colonel Comstock up in Gentry County, I now recall one in which one James Grimsley was a witness for the other side and dead against us, but we had to rely upon him. His neighbors down about Greenwell Ford always called him "Old Jim." In some way I had learned that he was originally from Rockbridge County, in my native State, and to the early settlers of the Grand River country used to boast that back there he had helped to haul the stones that built the Natural Bridge of Virginia! The case was desperately close; the opposing counsel had not called upon "Old Jim." So I arose from the counsel table, looked over the audience, and in a loud voice inquired: "Is Major Grimsley in the court-room?" He had never been called "Major" before in his long life, and, as I hoped, with the utmost dignity, got up from his seat and in an equally loud tone answered: "He is, suh." "Will you please come around and be sworn as a witness, Major?" He said, "With the greatest pleasure, suh." During his entire ex-

amination I employed the soft accent of the South and never once failed to speak of him as a Southern gentleman, nor to address him as "Major Grimsley." He was a most excellent witness for us, told the whole truth as it was, and we won, while the "Major" died in the belief that I was the one great lawyer of the age!

This further incident is mentioned for the double purpose of directing attention to the words hereinafter quoted and concurring in the wise conclusion. I have noticed that when busiest, there is time for everything; but with absolutely nothing to do, there is never time for anything. One bright Sunday morning long ago, with John Townshend, of New York, whose great legal treatise of "Libel and Slander" has long been standard authority, I was out in the garden, and he and I were talking and devouring many of Colonel Comstock's rich red strawberries up at Albany. The Judge and the Colonel were cousins and schoolboy friends back East, and Townshend spent many of his vacations in the West. I happened to say something about one of my tardy correspondents who in the belated answer just received had apologized for the alleged reason that he "had not had the time" to write me sooner. Townshend looked around and in his earnest and emphatic way said: "Young man, whenever a man hereafter writes that way to you, set it down that he is a damned liar!"

A tenant on one of Colonel Comstock's farms down on Grand River, whose name I think is Dobson, told me long after I came to Kansas City of an earnest effort which he had once made to induce a brother of his to introduce himself to and become acquainted with me, and with pleasure and no little pride I now recall the impressively solemn way this untutored son of the soil closed his recital of wrestling

with this brother in this way: "I'll tell you, Joe, that when you look at this feller as he goes into court, or listen to him as he talks to the Judge or a jury, he seems so all-fired serious that you'd think he'd bite a ten-penny nail in two; but say, you get out with him once, as I've been, and you'll soon find out that he's just the commonest feller you ever met!"

WILLIAM ("Bill") DEVERE, Colorado. Bill and I had lived a long time, and in the West too, before we met. He was then an actor, and was the only one of that class whom I have known that did not have to "make up," for he always appeared upon the stage in the same clothes, and with the same manners, talk, and all that, which he appeared in field, mine, street, or anywhere else. Then he had at odd times in his life had been a teacher, bar-tender, preacher, prospector, miner, poet, mine-owner, reporter, Bohemian, editor, cow-puncher, drunkard, actor, merchant, saloon-keeper, trader, and in the meanwhile had both made and lost colossal fortunes. But in writing his verses he appealed to me because he got down to and wrestled with men and women and things as he saw them and as they are; while his acting on the boards was always just as natural and human. So this artist of nature got close to me, not only because of his human poetry and natural acting, but then somehow liked old Bill anyway.

There was good blood in Bill's veins; he was carefully educated, traveled, and accomplished; but for some unknown reason wandered from home when young and finally drifted into the gold mines of the far West. He might not have proven a glittering success in the drawing-rooms of New York or Boston; I never saw him there; but it is certain that his Eastern hearers would not have remained in darkness

very long, for he always talked well and brains and thought were behind his every utterance. He was most at home in the freedom of nature as he found it in the Rocky Mountains long ago; and I never knew it if there was anything he could not do on the frontier. Cook at a smoky campfire, spin yarns to the "boys," dash off poetry on any conceivable subject, sing a hymn to melt the heart, or preach a sermon of rare power and pathos, these were only a few of his varied and various accomplishments.

In one of his poems, read years before we met, Bill tells the story of his life. I think it is entitled "Walk, Jist Walk." Anyway, after the manner of the Rockies, roughing it in that country for long years, Bill became the owner of a rich mine, sold it at a tremendous figure, got the money and drafts, and started to "God's country," to spend a few years in peace and plenty at his childhood home "back in the States." At Denver, however, he fell in with a lot of boon companions and, instead of going on to the old home, as fully intended, he spends the winter in riotous living with these boys and girls—drinks, gambles, attends theaters, dance-houses, etc.—with the result that in the spring he finds himself without a dollar or a friend. Cursing his false friends, his folly, weakness, and bad luck, he starts on foot back to the mines in the mountains alone, to regain his lost fortune. As he tramps along the dry, dusty road, a rancher driving a lumber wagon overtakes him and urges him to get in and ride. But Bill spurns this offer, and begs the privilege of walking behind the wagon in the dust. The driver insists that he doesn't "own the road ahind or afore," and hence our friend may walk along as he likes. So Bill, filled with remorse, choked with dust, walks along that road behind the wagon and truly soliloquizes his life story, closing each verse with

his "Walk, dam ye! jist walk." A volume of Bill's poems was published about a dozen years ago; but, like our friend Eugene Field, he reserved for private circulation among a few chosen friends the really bright, wise, witty, wicked poetry and prose that flowed at will from his versatile pen.

THOMAS DUNN ENGLISH, New Jersey. When I saw and knew and enjoyed talking with this gentleman, he was a tall, white-haired, white-moustached member of the Lower House of the Federal Congress at Washington, and one of the most popular and best beloved men then in public life. Long after coming West, I was once talking about English with Dr. Robert W. Witten, the father of my lawyer friends Thomas A. and William Wirt Witten, when this venerable gentleman told me that he and Dr. English had together started in life as young men engaged in the practice of medicine, at the little town of Beckley in Raleigh County, West Virginia, and that Dr. English had then written in early life all save the last verse of the poem upon which his chief claim to fame now rests—"Ben Bolt." After he went back East and permanently located, Dr. English completed his verses at the request of Nathaniel Parker Willis, who printed them in his *New York Magazine*. The man who made "Ben Bolt" famous and put it into the mouth of every American and English singer as a song, however, was not its author; but a brainy, clever, Bohemian minstrel named Nelson Kneass, of Baltimore, Maryland.

Among many personal reminiscences of their early years in the mountains, Dr. Witten once told me this story about himself and Dr. English: The latter had a sudden professional call out in the country and, his own riding-horse being lame, he borrowed Dr. Witten's thoroughbred race-mare for

the trip. Dr. English rode off all right, but a mile up the road the mare became frightened and ran away with him, back home. Reading in his office, Dr. Witten heard the clatter of her hoofs on the stony highway and ran out. At break-neck speed the thoroughbred came thundering down the road with Dr. English holding on to her mane. At the gate leading to her stall in the barn she stopped with a sudden jerk, but flying over her head, on went Dr. English into the barnyard. Thinking beyond doubt that this fall had killed him, Dr. Witten ran to see if there was anything he could do, and was overjoyed to see the unhurt Dr. English jump to his feet and hear him say: "Be God! Doc, I brought your horse back."

Many years ago, at a term of the Chillicothe court, I met Colonel Caspar W. Bell, of Keytesville, Missouri. He was one of the really brilliant speakers among the passing lawyers of the old days, a talker of rare charm, and had represented his district in the Confederate Congress at Richmond, Virginia. The book "Trilby" was just out, and the old song of "Ben Bolt" was then being revived and sung throughout the country upon its dramatization. The talk somehow turned on "Ben Bolt," and Colonel Bell repeated its every word and line as no one else ever did. In fact, it was so pathetic that if a wooden Indian cigar-sign had remained dry-eyed during Bell's recital, I should have had no more respect for that Indian. Led by the venerable Bell, everybody present shed a few tears out of sympathy for "sweet Alice" and no one attempted concealment. After this recital, Colonel Bell told us that upon his return to Missouri after the war, he met in the old Browning House at Chillicothe, in 1868, his old, life-long, beloved friend Nelson Kneass; that the two proceeded to celebrate the happy re-

union in due and ancient form, and that when he came out of his illness, his dear friend Kneass had there died and had then been laid to rest in a spot at the foot of a tree, "in a corner obscure and lone," in Edgewood Cemetery at Chillicothe.

In 1905, I am told, the body of the song-bird's wife was laid beside that of her long-gone husband, and so Nelson Kneass and his wife, together again, sleep the last long sleep. Colonel Bell is gone, so is Billy Leach, who buried Nelson Kneass, and so are very many of the good friends known and loved at Chillicothe in the late '60s.

In that same little village of Beckley, away along before the war, a brilliant yet dreamy young attorney, bearing the name of Stephen Adams (who later removed to and became famous as a lawyer and statesman at Petersburg, Virginia), started in to practice his profession at the same time, and there wrote the words and the music of another song wider known than "Ben Bolt" and better in all ways. It is "The Blue Alsatian Mountains."

FREDERICK HOWARD, Kansas City, Missouri. The whirligig of time may bring the bottom rail to the top, the tomtit may sit in the eagle's net, dogs and other animals may fight, but in the quarter of a century that I have known and been much in contact with Fred Howard, he has never once lost his even temper, but is always the same quiet, unruffled, level-headed, interesting, instructive gentleman. For many years he was my near neighbor and we had law offices on the same floor; but of late he has been in the mining business and vibrates between Wall Street in New York, Old Mexico, and San Francisco. Either design or accident has thrown us together in very many places in almost every quarter of this continent, and besides, he knows foreign lands and peoples

as few Americans ever come to know them, for he traveled, studied, and spent his time with them in an intelligent way for years. Modest and unassuming always, yet his vast learning, wide travel and thorough knowledge of men and affairs have given him such splendid self-confidence that, if necessary, he would not hesitate to undertake the task of running the universe; but he never volunteers anything. So unerring is his judgment that many a time I have consulted him upon questions relating to public policy, or private right, and in all the past his conclusions have proven correct and true.

Over twenty years ago, Missouri clients employed me to go down into Georgia to try a contested noncupative will case. Under an old English statute, in force in that country from the time Georgia was a colony under Oglethorpe, real estate may there be devised by an unwritten will the same as personalty. Fred was going down into Florida and in that March rain and storm we two traveled southward together, and were delayed in many places. There were a lot of good fellows in our sleeper, and I recall now that in crossing the Black Warrior Fork of the Tombigbee River the high water came up to the ties, all had to disembark, cross the river afoot on that railroad bridge, and take another train on the other side. Among the passengers was a poor woman with her five little children, going over into Georgia to join her husband. Just how I managed to lug two of those babies and my own grip across that bridge for over a mile in the rain, I don't recollect, but I did it. On our way eastward our train was again delayed at the little town of Oxana, Alabama, where all stopped over night at a local tavern. The landlord refused to entertain this woman and her children because she was poor and moneyless. So a purse was made up, the poor family guarded

in the dining-room while they ate, and for that night's rest they had the best rooms the house afforded. All this so outraged and enraged the tavern-keeper that in sheer self-defense the other members of the storm-bound party were compelled to and did bodily throw him out of his house; we gathered up a negro with a fiddle and another with a banjo, and to theirs added our own songs, dances, recitations, etc., and proceeded in our own way to make a night of it, while the landlord and his clerk cussed outside.

The next afternoon, as our train was approaching Atlanta, Georgia, I had gone forward into the smoker and was there talking with a friend, when a tall, rawboned, lantern-jawed "cracker" pointed a long forefinger to our left and said to us: "Right there, gentlemen, is the place from which that old beast, Sherman, with his thieves and bummers and murderers, started on his march to the sea, across the fair fields of Georgia." Maybe I was a trifle grouchy on account of the continued rains and would a little sooner have had a scrap than not; anyway this reference to my beloved General and his men never touched me, but the wide waste of sand and scrub-brush did; I couldn't stand for "the fair fields of Georgia" just then, and quietly said to my companion: "Help me on the chorus." So I stepped into the aisle and in a loud, full voice sung every word, note, and line of "Marching through Georgia." To my surprise, and possible disappointment, no one in that crowded car batted an eye or said a word. As we were even then in the outskirts of the town. I slowly went back to my friend Howard in the sleeper and soon alighted at the station with other passengers. We had dinner at the Kimball House and strolling down the streets later on I happened on my smoking-car friend. He told me with great glee this story: "You, of course, recollect that slabsided Georgian who aroused your ire in the smoker; well, sir, you missed the best part of the little matinee

there; that fellow watched you intently as you passed from our car, through the chair car and until you closed the sleeper door, and then he turned to me and asked, 'Say, stranger, who is that feller?' I answered: 'I don't know his name; but he was a Union soldier, is now a lawyer, and lives at Kansas City.' As we were slowing up at the station here, that Georgian drew a long breath and said, 'Well, the damned Yankee looks like he 'd fight yit, don't he?' "

By rail we got down to Macon that night and at their hotel I had my last attack of sick headache. While recuperating next day, Howard took in the town and among other places their cemetery. Here he was attracted by a beautiful marble shaft erected to the memory of a Georgian soldier who fell in battle at the close of the war, and the stone said: "His last words were, 'Tis sweet for one's country to die.'" While gazing upon and thinking about this legend, a one-legged Confederate soldier came up, and Fred said: "That is a beautiful sentiment; I wonder if these were in fact the last words of the dead soldier?" The veteran answered: "Well, no; me and Bill there was in the same comp'ny and I was right nigh him when he was shot; he didn't exactly say them words that 's on his tombstone, but he did say: 'I 'm shot; after fightin' for nigh four year without a scratch, it 's tough to be plugged this a-way now by a dam mudsill Yankee.' "

The heavy rains had demoralized travel, but that afternoon we left Macon on a south-bound train, and seeing that we looked different from other passengers, a kind-faced old preacher introduced himself, and while the train halted at a forlorn town without any sign of improvement in sight, pointed out to us from the rear platform the lines of the old stockade, the spring, and just to our left over the tops of the growing pine trees the Stars and Stripes waving over the graves of many thousands of Union heroes who there died of starvation, dis-

ease, or wounds, for that little town was Andersonville, Georgia. Still further Southward, I disembarked to try my case, while Howard continued on to Florida.

The drives and rides around through the piney woods, the turpentine-making, the magnolia trees, the flowers, the soft, dreamy climate of south Georgia, and all that, greatly interested me for each of the ten days I was there waiting on the other side to go into this will case; but the details can be of no special interest now. I was defending and won the case; but my clients lost the \$40,000 of real estate involved in that will in this way: At the trial a bright young newspaper stranger happened to be present and took elaborate notes of all the facts. The strange and unusual life of the deceased, the stranger testimony offered by the proponents, and the dead fainting away of the principal witness for the will under our cross-examination, struck the young reporter as so highly dramatic that he featured the story by enlarging somewhat upon its many novel facts. This story was printed down in Georgia and so attracted the fancy of another newspaper man away up North that he there reproduced it in full. That the unexpected may happen in any law-suit was fully exemplified in my case, for the story as republished up North by accident fell into the hands of the only child born of the unheard-of first marriage of the deceased to a woman from whom he was never divorced, but who, though abandoned for nearly forty years before this trial, was still living! Hence that son was clearly entitled to inherit the entire estate left by his father, to the exclusion of my clients and all others. So it goes; the longer I live the more firmly I believe in the old saw—"Nothing is sure but death and taxes."

After this trial, I rejoined Howard down in Florida, and there at Pensacola again fell in with our old preacher friend from Macon. From him I learned that he was personally well

acquainted with our mutual friend, Sam Jones, of Georgia. In talking with and listening to Sam only one of his many accomplishments struck me, and that was that he could say a pathetic thing in a more pathetic way than any one I ever heard, for Sam had a larynx and knew how to use it. But I didn't know, and was endeavoring to extract from this venerable friend, just how Sam was regarded by his neighbors and friends at Cartersville, and finally elicited this telling response: "Yes, suh, I know Brother Sam Jones very well, suh; we have often preached from the same pulpit, suh; but I can only answer for myself, suh, in saying that I have long regarded Brother Sam as a Christianized curiosity."

In the summer of 1890, we met by appointment in Washington City and fully intended to wander off together for a two-months rest and play in Europe; but these plans were changed and, without preconceived purpose, that summer was spent in "drifting." First, we went down the Potomac to Old Point Comfort, then across the Chesapeake Bay to Cape Charles City, and from there by spring wagon to a resort called Wachapreague in Virginia, an Atlantic Coast town of which we had just heard. The greatest excitements of our two-days stay there were an attenuated ex-slave about 140 years old with a beautiful thirst, and a yacht-race for a watermelon prize one Saturday afternoon. So we drove across country to Accomac Court House, where we occupied the same room in which Henry A. Wise was born. Numerous were the stories told us by the older inhabitants concerning their personal recollections of this to them ideal congressman, foreign minister, Governor of Virginia, and, lastly, Confederate general. It was while representing this district that Wise had said from his seat in the Lower House, "I thank Almighty God that not a single newspaper is published in my Congressional District." There too is recorded the report to the Crown of Colonel Scar-

borough, giving in many pages all the details of his expedition against the Quakers of that vicinity in 1663; and as to the organization of his forces he used the expression, "and then, in addition to all these, I took along about forty horse for pomp of safety." The closing sentence of this, Wise said, was "the most eloquent" he ever read; but to us it was a little hazy. From this report it is also apparent that Scarborough was not authorized to either carry these recalcitrant Quakers back with him to the Colonial capital at Williamsburg, or to execute them; so in each of many instances he further says, "I then and there arrested ————— and placed the broad arrow over his door." We knew what that "broad arrow" meant after the Parliamentary Act of 1692; but just what Scarborough intended by it in 1663, no historian has ever been able to tell us. These Quakers had denied the authority of the Established Church and of the Colony of Virginia. The latter proposition was unthinkable by my ancestors and hence the row. Here we struck many things new to us: The prehistoric cannon around our hotel, with the sea-water holes in them, mouth up, still doing duty as hitching and old-time tavern bell posts; but no one knew whence or when they came. Two hundred years before we were there, an English sailing vessel attempted to cross the water with a cargo of thoroughbred horses for use among the Cavaliers of Virginia; this vessel was wrecked in a storm just off our coast, many of these horses drifted onto an island near by and their descendants are to-day there known as "Chinqueateague ponies." They were not larger nor prettier on the salt grasses of that island than are our Shetland ponies; almost starve to death before being domesticated on oats and hay; but after they pull through that, they become most shapely coach ponies and trot and run just as did their long-ago forebears. Many of these were then in domestic use on the mainland.

From there we drifted down to Eastville, the county seat of Northampton County, Virginia, and while there examined, in the cramped English handwriting of that day, our most ancient continuous court records, from 1632 up to date. The "Eastern Shore" of Virginia was settled by our colonists the year following the settlement of Jamestown in 1607, and being isolated from the outside world by the Chesapeake Bay on the one side and the broad Atlantic on the other, the French and Indians wars, the Revolution, the English invasion of 1812, the Mexican and Civil wars never touched these people, nor interfered with the even tenor of their way; and so every term of every court has been there held on time, throughout all the years. In the early days of that Colony the Church and State were there curiously mixed, and from their earlier court records it is apparent that interchangeably each often tried cases for the other, and by proper decree directed just what penalty should be inflicted, and where and how. One of their early court cases, where the penalty was to be executed by the Church, concludes in this precise language: "It is therefore ordered, on the depositions of two witnesses, by this court, that the syd Marie Drew shall ask the syd Thomas Butler's wife's forgiveness, in the church, on the next Saboth day, presenting herself before the minister, betwixt the first and second lessons, and say after him as followeth: 'I, Mary Drew, doe acknowledge to have caled Joane Butler a carted, and hereby I confess I have done her manifest wrong. Wherefore I desire before this congregation that the syd Joane Butler will forgive me and also that this congregation will joyne and pray with me that God may forgive me, or I also suffer the like punishment as the syd Joane Butler hath done.'" And in the event that she fails to comply with this order of the court, it is further ordered that "she be tyed by the thumbs to the tail end of a canoe, thrown overboard and twice dragged

across ye King's Creek in ye waters of ye syd county." We spent hours in our search for the writ of execution to see just how this court sentence was carried out in the church, but never found it, and don't know to this day how the case ended. That record, however, did settle one question—"Mary" and "Marie" were one and the same among our early pioneers.

We next went, by wagon and sail vessel, respectively, to Cobb's Island, out ten miles from the mainland into the Atlantic. A few weeks there, with an abundance to eat and drink, was just what we were after, and there too we met and knew many characters. Among others, we struck and enjoyed the society of a pair of bachelor girl sisters from Williamsburg; and from their unique apparel, corkscrew curls, and simpering manners concluded that in their youth they must have danced the stately minuet with the "Knights of the Golden Horseshoe" and flirted and had high old times with the first boy graduates of William and Mary College. Then there was a Virginia preacher whose clothing from his shoes up to his straw plug hat were all of gray, and who swelled through the grounds with an air which plainly said, "Ah, you poor worm of the dust! me and God permit you to be on earth only as long as you act like me." To us he was the "Vice-God" of the Island, and was in evidence only one day after his proper title became noised around. We met the prominent wife of a prominent lawyer there, spending the summer. Built on the lines of a pouter pigeon and armed with a boiler-maker's voice, this good woman was on parade from early morn till dewy eve; but, from her peculiar motions at all the evening dances, we rightfully designated her as "the bucking walrus." The table, sea-food, fishing, bathing, boating, air, crowd, beach, and everything were all that could be desired, and we were sorry to leave, but we did. In 1895 I again spent some weeks at this island, for from the coast of Maine down to Florida no bathing

beach was the equal in natural beauty to that. It's off the map now, for some change in ocean currents a few years ago swept it away. But for over 200 years it was the favorite island home of many people in the sunny South during the summer months, and they, as well as myself, will regretfully consider its departed glory of the olden times.

The "Eastern Shore" of Virginia is unlike any other known place in America. It consists of but two counties, has an average width of only eight miles, and is seventy-eight miles long. Figs, oranges, and lemons grow there; the atmosphere is soft and mild and the people are "at peace with the world and the rest of mankind"; until the recent coming of the railroad, no native was ever dissatisfied with anything. In fact, the only objection we heard was a mild one, mentioned by a young girl there who had spent some weeks up North the winter before and there learned to skate—they never had any ice on the "Eastern Sho'." Though they still bury their dead kindred in dooryards and gardens, sleep on feather-beds the year round, burn dip candles, and draw water with the old well-sweep, yet better or more hospitable people never lived anywhere. From Cobb's Island we went down to Norfolk in Virginia, and one or the other of us there intimated that Charleston, South Carolina, might not be a bad place to spend a few weeks. All right, and to "Charleston by the Sea" we went. That was a master stroke, for to me the three most interesting historic cities of the South have long been New Orleans, Richmond, and Charleston. Then I had friends and clients there in the persons of Mrs. Anna W. Dargan and her family. They owned and occupied the great old Wickenberg mansion on Ashley Avenue and had often urged me to visit them. With that generous hospitality which characterizes all their people, the Dargans, Wickenbergs, and others showed us most marked attention in their excursions up the Ashley and Cooper rivers, over across

the bay to Fort Sumter and Fort Moultrie, out to their peaceful and beautiful Magnolia Cemetery, and elsewhere. I was never prouder of Fred in my life; for he knew and when asked accurately gave the entire history of each of the many old forts, rivers, churches, and plantations we visited. In 1903 I made city and people another visit of some weeks, and in addition to the points of interest which were already familiar, these same old friends carried me over to the Isle of Palms, and then we spent a most pleasant day up at Summerville on the great tea farm. One of the many pleasing old customs of that far south country is that in passing by a graveyard gentlemen raise their hats, ladies bow their heads, and in low, reverent tones all murmur two words, "God's acre."

In some way Howard and I happened to drift from Charleston up to Asheville in North Carolina. Since boyhood my mind's eye had been turned toward the White Sulphur Springs of Virginia as the one place for summer rest in the South, for I had been there often, and then it was in my native country. But Asheville is the better, for one can either go there in summer or winter and all the good the gods provide are to be had there. We found it a most delightful place. But *en route* over the mountains, we abandoned the sleeper and went forward to the smoking-car to meet and greet the people. We found some negroes there with their instruments, who could pick the banjo and play the fiddle—the mountaineers of the South scorn the name "violin." It required but a few dollars to unlimber these boys, and what with their music and the mountaineers' dancing, it was not many miles until that smoker was in an uproar. Everybody enjoyed it. As we were nearing our destination I engaged a long-haired native in conversation and told him that my friend and I greatly desired to sample the "moonshine licker" of the country. He was cautious until fully satisfied that we were from Missouri and had

to "be shown," and then he said: "When you get offen this here train you 'll find a-standin' right thar by that there depot one o' them damned electrical cahrs that runs up the hill; you take that cahr and go right up that there hill till you git away up in town; then you look off to your right an' you 'll see a big sign that says 'White Man's Saloon'; git off an' mosey right in an' git holt of that there whisky-man an' tell him what you an' Howard is after; an' then tell him that ole Jim Simpson sent you to him fer some of his moonshine licker, an', by gosh! stranger, you 'll git 'er." This good friend's directions were followed to the letter, and he was right. But don't make the mistake we made at first. That corn whiskey is as colorless as water, but strong as wrath. Dilute it. Years afterward I was relating this experience to New York friends in a New England sleeping-car, when one of the gentlemen said that for forty years he had stocked his cellar at home from this same "White Man's Saloon." From Ashville we came down the French Broad, tackled our first guinea-egg dinner at Knoxville, Tennessee, and came on home.

In 1892 a party of Godless "jumpers" took possession of our mines down in the Gallinas Mountains of New Mexico and my Missouri associates insisted that I go there and straighten things out. It was a long, weary trip, not unfamiliar, and I refused to go alone. Fred Howard was selected as my traveling companion, and together we went by rail to San Antonio, New Mexico, and thence by buckboard 100 miles to White Oaks. President Ben Harrison was running things down at Washington, and in the Congress, Private John Allen had just made a speech in which he employed his then famous doggerel. About two o'clock one morning, while Howard and I were colder than blazes, each smoking in profound silence, our driver was slowly pulling through the sand of the desert and to me it seemed hundreds of miles from nowhere, when sud-

denly our front wheels went into a chuckhole—the off horse balked. I was on the very eve of both saying and doing things, when, between puffs of his cigar, old Fred then and there calmly quoted Allen's lines:

“Wanny runs the Sunday-school,
Levi keeps the Bar,
Baby runs the White House,
And, damn it! there you are.”

To perpetrate a thing like that in such a situation, hour, and place was enough to restore the dead to good humor, and in some way we got into the Ozanne Hotel at White Oaks that morning. Our managing director was sick at Punta de Agua, 200 miles away, and without him not a wheel could be turned; but during our weeks of waiting at that hotel, no one ever complained that idleness was included among our many sins. Excursions on mountain and desert, horseback rides, carriage drives, visits to mines (the Old Abe, 1,450 feet deep, I recollect they told us was “the deepest dry mine in the world”), were of almost daily occurrence; and while we were there two theatrical troupes appeared on the scene at the same time. The American troupe was called the “Studds Grand Opera Company”; while the other was a Mexican aggregation with a great long Spanish name, which I never learned to either spell or pronounce. We attended both, and my enjoyment of the Mexican affair was marred, for I did not, while Howard did, understand the Spanish language. But both played to crowded houses every night at not less than three dollars a seat. There is nothing too rich for the blood of frontier people, and each always has the price. A trained musical ear might have yearned for music other than that then made by those two bands; but to me it was just right, for it went away back to the soft, sensuous music of old Spain, which there had its origin with the Moors long, long ago. With guide, wagons, and oth-

er accompaniments, we started before daylight one morning to explore the lava-beds and the two extinct craters in that region called the "Mal Pais," a dozen miles from the town. Picketing our horses and parking the wagons, we started in on foot and slowly wound along to the upper crater right at the summit of the lava. As the crow flies, the distance is only about six miles, but yawning crevasses in the lava impeded our progress, and we must have walked twenty miles in all before that crater was reached. The crater itself has a diameter of about 200 feet, is depressed at the center like an inverted slouch hat, and right then and there I made another of life's many mistakes. Our guide had lugged up two well-filled quart bottles, one filled with old Cutter whisky and the other with water. No accident, but I drank out of the wrong bottle. (N. B. On a trip like that never touch anything but water—it doesn't do.) In the process of cooling, an earthquake, or some other convulsion of nature, had tumbled that lava into all sorts and conditions of grotesque shapes, and on that account, as well as its crevices, we often had to walk over the sharp, jagged lava for miles to make a short distance. As mountain lions, rattlesnakes, and other undesirable citizens were often met with there, I carried Howard's Marlin rifle all day long, and it weighed a ton before we got back. On our return trip, that Mexican guide was accustomed to the walk and Howard was an athlete, and the result was they were soon way ahead. I became hot, thirsty, parched, dry, and tired nearly to death. To lie down beneath the shade of the few scrubby cedar trees that looked centuries old was out of the question, for that was still hot either from its original condition or the sun's rays. I recollect I had a lot of currency in my pocket, and thought I would gladly have given it all for a little piece of lemon to cool my parched and cracking tongue; but alone on the lava-beds nothing was left me but to stumble along. When I got

sight of our camp, I saw old Fred and our guide complacently smoking in the shade of one of the wagons, cool, satisfied, and happy. But both were scared out of a year's growth by my lamentable appearance, and soon had me lie down on the sand beneath a wagon. Here, to restore life, they first gave me cracked ice, claret and lemonade out of a spoon, then increased the dose, and still later allowed me to swig this stuff by the tumblerful. Then I slept. That night we got to our hotel by midnight, and to my surprise no inconvenience ever came to me from that journey. A railroad now runs just east of these lava-beds and in plain view. From the window of a Pullman car I have often watched them for miles and miles in traveling up and down that valley, and the sight is a pleasant one, but this is the only way I will ever go into that crater in the years to be.

In time our business manager, William J. Spence, recovered, and Howard and I met him up at the mines, forty-five miles north of White Oaks. Active business at once commenced. We there soon drove to Lincoln, forty-three miles away, the seat of justice of that county. Here was an old adobe Mexican town, with a record of crime within the mud walls of its every residence and business house, without an equal in America. For this had been once the home of that murderous outlaw, "Billy the Kid," and of Pat Garrett, who killed him, and from about 1878 to 1881 was the seat of the "Lincoln County War," so graphically described by Emerson Hough in his book called "The Story of the Outlaw." Mention "war" down in that county, and every frontiersman at once pricks up his ears and expects some story of their war, for to them no other in all history deserves the name. In that town, 150 miles then to the nearest railroad, four men met by chance who had each traveled over and knew the world—Fred Howard, Colonel D. J. M. A. Jewett, Sheriff Roberts, and

another, whose name is not recalled. To listen to those four as they discussed all foreign lands, their trade relations, peoples, customs, etc., was alone a liberal education.

Among the many remarkable characters whom we met and knew there, was Michael Cronin, then the judge of their probate court, and a Lincoln merchant, who sported a linen duster, boots, and a plug hat. For short his familiars called him "Micky Cronin." His friends told us that at the outbreak of the Civil War, "Micky" was a sergeant in the regular Army and stationed at some fort near by, maybe Fort Stanton in our day. The commissioned officers of his command were all Southern gentlemen, and purposed to carry the entire command into the Confederate camp. At dress parade one day these officers all made speeches with this end in view, and had things all their own way until Sergeant "Micky" obtained permission to "spake jist a few wurreds to the byes." But he spoke with such powerful effect that at its close every officer went South, while every enlisted man stood by "Micky," and in that way he did more to save New Mexico to the Union than any other one man in the Territory. After Cronin was elected to his office, a pompous and fine-looking fellow over at White Oaks, calling himself a "colonel" and lawyer, in some way worked himself in as the attorney for a little estate over there of less than \$300 in value, and charged a fee of \$50 for his alleged "legal services"; then he mailed the first annual settlement to Colonel Jewett, a lawyer friend of his at Lincoln, for filing and approval, and among other little items was his voucher and credit for this fee. His friend was in good faith executing his instructions, but Cronin paused at this item of charge for a long time. The longer he looked at and considered it, the madder grew the court. At last, without a word, he turned over the voucher and slowly wrote across its back, "Disallowed. M. Cronin, P.J." Then turning to this lawyer, he said: "Colonel Jewett, plaze,

sor, return this account to your frind wid the complemints of this coort; and plaze say to him, sor, that as long as I am on this binch, it will take two min to rob the dead in Lincoln County, and by God! sor, Micky Cronin is wan of thim." At the close of our business, Judge Cronin presented to Howard and myself each a quart of rare old peach brandy with the simple frontier statement: "Wid complemints of your frind; and this coort will fill full of lead the first dam man that says a woord about payin' for the lickier."

From Lincoln we drove by buckboard to Roswell on the Rio Pecos, about sixty-five miles, in charge of a Mexican driver, who spoke no word, nor understood it, of English. Over forty miles of that journey was made through the most God-forsaken desert I ever saw. No moisture had come to that country for over two years, an occasional wild bird flew over it, and the ribs of even the poor starving prairie dogs could easily be counted. Covered with dust, dry, hot, and thirsty, we reached Roswell in the evening to find that neither love nor money would get us a piece of ice as big as your finger, nor enough water to bathe in. That very night the drouth was broken and such a rain as came down is seldom seen anywhere. Here the local land offices were located and our business came out there just as hoped. Two years later I was again in Roswell trying our mining cases, and the growth of that town had been marvelous, while it has since become rational in character.

Our next drive was down the Rio Pecos, ninety miles to Carlsbad (then Eddy), New Mexico, and *en route* we made short stops at the ruins of an old Indian-Mexican house and at Seven Rivers. Here the graveyard was pointed out, and we were told that in the Lincoln County War sixty-eight men had died with their boots on and been chucked away there before a single person who died a natural death was buried in

that cemetery. At Carlsbad we struck the first railroad we had seen for a long time; for since leaving the Santa Fé road at San Antonio, we had traveled by buckboard more than 500 miles and had a good time. In going by rail on down south to Pecos City, Texas, our train was darkened by the worst sand-storm I was ever in. Indeed, this came direct from the west and was so severe that the sand pecked all the varnish and paint off the west side of every car in the train. We spent the early part of that night at a "*baile*," dancing with Mexican girls, took a late Texas Pacific train for El Paso, and went from there across into Old Mexico. At Juarez we strayed into a Mexican restaurant, for which I have since searched in vain many times, and there ordered and ate a dinner fit for the gods. It consisted of most of the good things a hungry man can think of, with two large, juicy porterhouse steaks that would have cost \$4 the plate in New York, a quart of native wine each, and that too was good, and the bill rendered was only 50 cents apiece! Over there we took in bull-fights, cathedrals, *aguadiente*, cock-fights, theaters, *mescal*, and all the other good things, and the same was true, so far as it went, at El Paso on the American side. At that visit, as well as since, I have witnessed many a bull-fight in Old Mexico. Then too I have often seen our American game of football. In comparison, the former is less brutal. Occasionally a life is lost in each, of course; but the one is as necessary and as enjoyable as the other, the respective civilizations demand them, and luxuries always come high.

In the autumn of 1893, at his apartments in San Francisco, California, I was for some weeks the guest of my old friend, Seymour Dwight Thompson. He was there completing for publication by the Bancroft-Whitney people of that city his great work on "Corporations," now printed in seven volumes; while I was on the Coast settling up the estate of a

brilliant young man who had once read law in my office. Knowing both intimately as intelligent globe-trotting friends, I had for years tried in vain to bring Thompson and Fred Howard together, for their tastes, habits, and foreign travel made them alike in many ways. To my surprise, a telegram came to me from Howard one day saying, "Meet me at the Oakland Mall at 9 to-morrow morning." Thompson was delighted and insisted on entertaining both. So I met and drove Howard to Thompson's rooms. On the way he said: "I have a poetic idea; you and I have met at many places, under many conditions, in the East, West, North, and South, but this is our first meeting on the Coast. Now this poetic idea of mine is to get you and Thompson in a carriage, drive out to the Cliff House, and there on the balcony and directly over the water take one nip of good old Bourbon to the Pacific Ocean." The invitation was accepted and the carriage, the dinner, and the drinks were all ours. All three worked through the day, but at night there was always a dinner at old Campi's, or some other place equally as good, and such talks as we had at Thompson's quarters no one ever listened to. One dinner down town I now recall: As often happened, Howard and Thompson were discussing foreign travels; I was dumb. One of our party, a brilliant English girl, asked why I did not join in the conversation, when this honest and truthful answer was given: "When these two great electric lights are shining, I simply represent an old-time dip candle and know it; then nothing so much becomes me as profound silence." Thompson crossed the great divide in 1904 and Howard spent an hour with me only a few weeks ago.

Fred Howard is generally a dignified and silent gentleman and doesn't often break out in verse, but when the occasion demands it he can, as this incident will show. One Christmas eve, about a dozen years ago, on the summit of a snow-

capped mountain down in Mexico, he chanced to meet a kindred spirit; and it further happened that each was traveling, like a gentleman should, with a number of native guides, and pack-mules loaded with all kinds of good things. Neither had ever seen or even heard of the other until that chance meeting, but by a sort of Freemasonry, known only to good men and true, each at once recognized the fact that he stood face to face with a master. So a great kettle was produced and into this, by mutual agreement, each poured out all his treasures in the eatable and drinkable line, and brewed a drink which they then and there christened "The Lotus Punch." No other English-speaking guest was there; the two were alone on that Christmas eve with God and the mountains and the punch. Maybe they unanimously adopted the time-honored Scotch rule—"The best man is the last man under the table"; or maybe they knew when and how each finally rolled up in his blankets; but no one ever inquired. As the next Yuletide was approaching the genial friend of the mountain-top wrote and urged Howard to again meet him in 1898 at Dallas, Texas, and in his letter promised an ample supply of their famous punch; but business at home detained my friend, and instead of his personal presence, with tears in his eyes and a vast thirst in his throat, Howard answered that invitation in the following lines:

"THE LOTUS PUNCH.

"We christened our punch 'The Lotus';
Of drinks it's the most sublime
Ere brewed for those happy mortals
Who dwell in a frigid clime.

"One draught makes a childish bauble
Of the miser's hoarded gain,
And draws from the love of woman
Its bitter and sleepless pain.

"In the incense of this nectar
Your neighbor becomes a friend,
And your friend is made a brother
Ere the glasses back we send.

"Then oh, for a night eternal,
In the land where snows abound;
A cauldron of steaming 'Lotus,'
With bottom which can't be found."

EDGAR WATSON HOWE, Atchison, Kansas. Everybody knows that Ed Howe owns and edits the *Globe* up the Missouri River at Atchison, and that he has also written books that are read and known on both sides of the big water; but as only a few know his antecedents, I'll talk about his earlier years.

In March, 1893, wife and I visited our old home town of Gallatin, and among many good things said about us, their local paper then printed the following concerning Howe:

"McDOUGAL ON HOWE.

"Twenty-six years ago, when I, a stranger in a strange land, was wrestling with the mysteries of Blackstone here at Gallatin, a rosy-faced, good natured printer-boy struck the town and went to setting type in the *North Missourian* office, then owned and edited by Kost & Day. We took our meals at Mrs. Emmons' boarding-house, along with Homer Sankey, the saddler, Captain Barnum, the jeweler, John Williams, the druggist, and transients. The printer-boy heard everything, said little, was full of quiet, quaint humor, and had sense, and I became very fond of him. So, after he drifted away from here, I kept track of him, but did not appreciate his well-earned fame until I read his 'Story of a Country Town' only a few years ago. That settled it, for the 'Twin Mounds' of that book is Bethany, the county seat next north of us, and Howe's old home. From these towns, Bethany and Gallatin, and the surrounding country, Howe's characters were taken, and as I lived here and attended courts for years at Bethany,

I found by reading the book that I enjoyed the personal acquaintance of a number of them, notably Joe Erring, Martin, the newspaper foreman, Big Adam, and 'The Meek; and no old citizen of Gallatin can read the book without recognizing at once John Williams as the 'nervous little druggist,' old man Jacobs as the 'big, fat blacksmith,' and Harfield Davis' drug-store as 'the place where all questions, political, religious, and social, were discussed and settled,' although Howe does not directly name either.

"A stranger then met in this country many men and women of strength and courage and brains, yet the remote rural districts, especially in the timber, were filled with thriftless men and with pale, sad-eyed, care-worn, helpless, and hopeless women, whose sole object in life seemed to be to go to church and circus and to rear children—all of which they seemed to do in a listless, melancholy sort of way. With the hand of a master, Howe sketched the country and the people as he and I knew them a quarter of a century ago. His pictures are at once strong, dramatic, pathetic, and humorous, and, what is better, human and true. To me the book was what some critic characterized as 'horribly fascinating,' and all the more so because, to my personal knowledge, the picture was in truth what art critics call 'a speaking likeness,' and I knew that the artist must be, as he in fact is, near the mountain-top of fame."

Ed Howe had a brother James, another bright newspaper man, who ran a paper at Carlsbad in New Mexico. Only a few years after our Gallatin visit, and in 1895, a friend wired me one Saturday that this Mrs. Emmons and her only sister had suddenly died within the same day at Gallatin, would be interred in the same grave on Sunday, and asked me to attend the funeral. An imperative business engagement prevented going; but in my office here on that Sunday morning I wrote a short history of the two sisters, alluded to their kindness in the old days, and mentioned the fact that James and Ed Howe, Sankey, Barnum, and Williams had boarded with them when I did early in 1867, and

mailed this tribute to the Gallatin papers. Upon my return home a week later, these strange coincidences revealed themselves: Gallatin and Atchison papers were on my desk. In parallel columns of the former appeared my own tribute to the two sisters, and their funeral sermon, preached by their pastor and my old friend, Rev. T. M. S. Kinney. The one was written here and the other delivered at the same hour seventy-five miles away, and yet from the Word both he and I had applied the same sentiment: "They were lovely and pleasant in their lives, and in their death they were not divided." In the *Globe* which Ed had mailed me, the first thing I saw was the picture of his brother James, and next Ed's tribute to Jim. From these I learned that James Howe had suddenly died at Carlsbad on the same day these two sisters, from their Gallatin home, had joined the great, silent majority. And Ed, too, had referred to the old days, in substance covering the same ground traversed by preacher Kinney and myself.

ELBERT HUBBARD, East Aurora, New York. The name and address of this editor of *The Philistine*, lecturer, talker, writer, thinker, is written; but right here a pause comes, for so much has been said in print about Fra Elbertus that his case presents a serious problem. In some respects to me he seems like another distinguished American who is just now shooting elephants, lions, and other ferocious wild beasts over in Africa, for he has said and done and written so much that necessarily he has sometimes been wrong, although generally right.

He was born and reared on a farm over in Illinois and the sweet smell of the soil of his native prairies may still be detected in much of his writing. Since early manhood, and

that is not very far back either, he has been a cow-puncher, traveler, student, writer, and indeed everything else that could be expected in a man of big brain and red blood, except that no crime or misdemeanor, like missing mass, or murder, has been laid to his door; nor has he been charged with sucking eggs or wearing side-whiskers. If he should be brought into court charged with either, however, and retained me, being still something of a fighter, I should advise him to deny everything, demand the proof, and go into trial.

In passing through this vale of tears, one of the most amusing scenes is the object-lesson offered by men and women, too old to sin, taking up the role of the reformer. Conspicuous successes in this line are rare, were never numerous, and reformers generally lose their lives in the effort. If the sole object be to "lay up treasures in heaven," then they may be forgiven; but when after earthly glory, the contempt or pity of their fellows is won; they make ample sport for others, and, not unlike the man who dyes his whiskers, fool nobody but themselves. So, it is rarely safe to name a baby for the living, for it's hard to say how one will turn out; but in the case of Elbertus it's different, for that name may now be bestowed with the utmost impunity—he is neither a reformer of the world, nor does he ever assume the stupidity of silence or the dignity of dullness, but continues to write, say, and do things and make good.

Ever since he founded his publication, I have read all his printed stuff, including his "Little Journeys," and like to follow him, regardless of the question of the right or wrong involved, for he never fails to instruct and make me think. In all these years, too, we have kept up a sort of bushwhacking correspondence and it has done me no little good to help the cause along. Years ago, a committee waited upon me

and asked that I introduce some Christian Science lecturer. Being a free lance, I accepted, prepared my introduction with the view of making the gentleman hump himself to hold the attention of his audience after I got through, but was called out of the city, and that speech was never delivered. A few months later some lawyer friends were in my office one holiday, discussing this very question, and I asked what I thought of that faith. I replied, "Nothing," but told them I had pronounced views as to the rights of those people under the Constitution and laws of our country, and briefly gave them the history of my intended talk. At the suggestion of one of my guests, that speech was then duly roared to them in mock heroics, and the question was at once asked, "Where is your manuscript?" My answer was that no word or line of that speech was ever on paper; when one said: "Do not fail to dictate that talk to your stenographer to-morrow, for you never said anything better." And to please them, I did so. Then I noticed in *The Philistine* that Hubbard had written along the same lines, and mailed him a copy of my talk, telling him to run his eye over it, convince himself that the minds of great men sometimes still flocked together, and then return it. In reply he wrote: "I will not return, but will keep and print what you might have said for the benefit of Philistia some fine day, for your stuff is the best American production since that Gettysburg speech." Of course, Elbertus lied like a tombstone about that, and maybe ought to take the Keeley cure for prevarichitis, for no other human effort should be mentioned in the same hour with Lincoln's great speech; but he knew how to reach my heart and flatter my vanity, and I didn't raise a row about it. So in the June, 1900, number of *The Philistine* came out the speech I never made under the heading of "*In re* Christian Science." From his paper, this

thing was copied in many papers and magazines in both Europe and America and a lot of credit came to me, and all on account of my good intentions. While attending the Pan-American Exposition up at Buffalo in 1901, I arranged to run down to his nearby home and spend a day with Hubbard at East Aurora, but some way missed it and always happened to be out of town when he was here. So I never got to lay eyes on him until about a year ago, when I saw by the papers that he was again in this city. My neighboring, bald, but level-headed lawyer friend, Thomas Adams Witten, had also corresponded with and for *The Philistine*, and I got hold of him, and together we went to Hubbard's hotel to pay our respects. From his pictures I recognized him at once in the lobby and introduced myself. With his characteristic drawl, he greeted me warmly, and said, "I 'm mighty glad to see you." Then I presented my friend as "Major Witten," and Elbertus said, "Why, hello, Tom! how are you?"

DAVID J. M. A. JEWETT, Lincoln County, New Mexico. Born in New England, educated in England; a British officer through the Crimean War; a business man in Charleston, South Carolina; a Federal staff officer in the Civil War; a civil engineer, lawyer, and politician at New Orleans and there served as the National Committeeman of his party, as well as at the head of the Republican State Committee of Louisiana; a resident of Lincoln County, New Mexico, for over thirty years; a traveler, linguist, student, musician, writer, thinker, and speaker—such in brief is the life story of Colonel Jewett.

In the gulches and mountain passes adjacent to what is now White Oaks, in Lincoln County, New Mexico, rich and abundant placer gold was originally discovered in 1879. Among the many who there joined in the wild stampede to this historic and beautiful country were Colonel Jewett, my brother

Luther E. McDougal, John Young Hewitt, Dr. Edward Morley, and others. These men were at the forefront in establishing White Oaks, wisely and appropriately called "Heart's Desire" in the novel of Emerson Hough in later years. The typical bad man, the adventurer, and the gambler always flock to a new and prosperous mining camp, and, as usual, they came in and attempted to run White Oaks. Then by common consent the better element, known as "law and order men," organized a vigilance committee, Colonel Jewett was made their commander, and the near-peace of the frontier has ever since reigned throughout the country.

When I first met this remarkable character in 1881, he was located at White Oaks as a surveyor, lawyer, leader of men, thought, and action. His vast knowledge of countries, places, and people; his command of languages; his powers of conversation, speaking, and writing; his capacity for grasping and mastering any subject or situation; his ability to meet on an equal footing and talk with all of the many classes one there comes in contact with, not less than knowing exactly just when and what and how to eat and drink everything—then filled me with admiration. Cheek by jowl, he had been with and known the great men and women of the wide world. At the head of his party in the South, I always suspected that he planned and executed the political destinies of his adopted State of Louisiana in the historic fight which resulted in the Electoral Commission of early 1877; but never knew—and, in fact, did not want to know, for I had my own opinion about it all. Anyway, the result of that conflict probably caused him to abandon the South, the East, and the other parts of the world, and to locate in New Mexico.

In 1892 I was again in that country and visited Colonel Jewett at his then home in the town of Lincoln. In his front room was his law office, the middle room was filled with books

and musical instruments—and he was master of them all—while back of these was a third, which was at once his kitchen and dining-room. Thus surrounded, if the Colonel was not the happiest and best satisfied man in the Territory, no one ever knew it. His town was then the seat of justice of Lincoln County, was 145 miles from the nearest railway, there was not a stone, brick, or wooden building in the village, and each adobe house boasted the record of blood, for in the days of their Lincoln County War, from '78 to '81, this was the headquarters of the notorious young outlaw "Billy the Kid" and of courageous Pat Garrett, and a clash between their forces always spelled loss of human life. For days there I was charmed and edified by the talks of Colonel Jewett, my traveling comrade, Fred Howard, and two other gentlemen. Each of the four had traveled throughout the world, each knew how to talk, and each had forgotten more than the average human being even dreams of knowing.

In February, 1894, I was engaged in the trial of two contested mining cases at Roswell, New Mexico. My frontier and Mexican witnesses had all come in, and both sides had announced "Ready." Then I heard that, clad in leather and furs like a Russian peasant, Colonel Jewett, without request or subpoena, and simply because he knew we needed him, had ridden across mountain and desert, through snows and cold, from his home at Lincoln, sixty-five miles away, to testify in that case for my clients, and was even then down at the Mexican corral among my witnesses. I knew he talked and understood Spanish like a native, and as he had been the attorney in 1881 for my people over in his county where the mines were, was familiar with every question of law and fact involved; but, with his usual composure, he left that corral, accepted my invitation, and came to my rooms at the hotel. Our visit and the friendly "round-up" were most enjoyable. His thorough

knowledge of both Spanish and mining law, the language of our Mexican witnesses, practice in their courts, etc., were all of great value to me and ultimately enabled our side to win both cases. Scholars and travelers have told me that the Colonel understood and spoke with unusual fluency seven living and all the dead languages, and many Oriental tongues as well. One of the proofs that he kept abreast with current literature of the law was furnished in the fact that in all the years I knew him, I sometimes had a word to say in law magazines on some live legal subject, and not once did the Colonel fail to read these articles and then write me a congratulatory letter on the subject.

Last year (1908) friends drove daughter Florence and me over from White Oaks to Capitan (thirty miles), and we there had a last visit with my old friend. His hair and moustache were then as brown and abundant as in the long ago, while his deep, rich, powerful, and sonorous voice was as strong, clear, and musical as that of a boy. But a letter received to-day (November 20, 1909) from our mutual friend Judge Hewitt, of White Oaks, brings me these sad lines: "Our old soldier friend, Colonel David J. M. A. Jewett, died on the 16th inst., and was buried at Capitan on yesterday. Thus one by one the former residents of 'Heart's Desire' disappear. Poor Jewett! while he, like the rest of us, had his faults; yet many virtues and good traits were to his credit."

With Colonel Jewett from Louisiana to New Mexico many years ago went William F. Blanchard. They were close personal and political friends; but at last came to the parting of the ways, which was unknown to me. One day, down in that country, I was asking Blanchard about the Colonel, whom I had not seen on that trip, and in the conversation incidentally mentioned the fact of Jewett's long life, wide learning, travels, etc., when his old-time *compadre* worked off on me this re-

sponse, which I then erroneously thought original: "Yes, as you say, the Colonel knows a whole lot, and the only trouble with him is, he knows so damned much that ain't so."

JOSEPH, Chief of the Nez Perces Indians. In my long residence in the Middle West, I have met and known many members of various tribes of Indians, some of whom are not unknown to the American reader. The most notable of these were Geronimo, Chief of the Apaches; Quanah Parker, Chief of the Comanches; Wah-jep-pa, of the Omahas; Oh-lo-hah-wah-la, of the Osages; and Chief Joseph. Through an interpreter I have often talked with many Indians; but by far the most interesting of the "noble red men of the forest" whom I have met was this Chief Joseph.

While he and his tribe were held as prisoners of war on the Government reservation at Fort Leavenworth in 1877, I visited these captives, and through an interpreter then had a long "council" with Joseph. The songs, chants, religious ceremonies, dances, and other warlike demonstrations of this tribe were of but little interest, but not so with the talks of this chief. Although he could not then speak, read, or write the English, and presumably could only speak in his native tongue, yet Joseph's terse, forceful sentences, wise words, natural common sense, ready yet unaffected, graceful, and impressive manner and gestures, and earnest dignity of expression, especially when speaking of the wrongs of his people at the hands of the whites, marked him as one of the earth's great men, and then made and left with me the firm conviction that he was a most perfect example of Nature's nobility. Scholarship, extensive reading, hard study, and culture, in time bring a few whites up to the untutored, natural-man standard of the old Indian, but examples of this are rare to-day. Vanity veils from proud whites the traditional lore and native dignity of

the red man; civilization might learn much from the Indian, but does not know it. Indians think; whites consult books.

ELIZABETH BRYANT JOHNSTON, Washington, D. C., was a native of Germantown, Kentucky, but after the Civil War, made her home at the nation's capital. My two friends, Judge Sanders W. and Anderson Doniphan Johnston, of that city, were her only brothers; while the gloriously gifted Marie Decca and Frances Benjamin Johnston were her nieces. Much of her eventful life was spent in American and European travel and she became one of the most interesting, entertaining, and instructive writers and talkers I have known.

About a quarter of a century ago she published her greatest book, entitled "The Original Portraits of George Washington." Until this book came out, I did not know that "the Father of his Country" was so vain as to sit for fifty-six of his portraits; but he did. Many of these are not recognized now, for they were painted from his youth to his old age. The accepted picture of this great human character, and the one we all know, is called by artists "the unfinished portrait by Gilbert Stuart." Under his written contract, Stuart was to be paid so much for this portrait when it was "finished." The head and face were done, but that part of the body below the neck was not painted, when Stuart became satisfied that his work would be received as the greatest and best picture of our George. Hence, with an artist's pride, he refused to part with or "finish" it, and so that portrait remains to this day.

Two of Miss Johnston's other books are distinctly Southern and portray life down in Dixie as it was away back in slavery days. No one born and reared among the slaves of the border States as I was, and who still has in his veins

the rich red blood of earlier years, can to-day read with dry eyes her stories called "Christmas in Kentucky in 1862" and "The Days That Are No More." Among her numberless magazine and newspaper articles was a sketch which I have never seen in print—"The Story of Virginia Dare." From tradition, legend, and history she extracted and prepared for the press this exceedingly interesting story: Virginia Dare was the first white child born in the Colony of Virginia at Jamestown. When about grown to womanhood, she and ninety-seven other colonists started from Jamestown to explore the wilderness to the west of that settlement; but their happy good-bye was the last ever seen of any one of the party. At a recent date, however, in the remote fastnesses of the North Carolina mountains and among a remnant of some tribe of mixed-blood Indians there found, were discovered the supposed surviving descendants of the Virginia Dare explorers, for forty-eight of their families still cling to the ancestral names of that party and possess blue or gray eyes and light hair.

No one achievement of this noble woman was of greater public concern than the organization of the "Literary Society of Washington," soon after the close of the Civil War. Together with her brother, Judge Johnston, Ainsworth R. Spofford, Mrs. Fred Lander, George Bancroft, W. W. Corcoran, and others, she there started this Society. Its membership was limited to 100 persons, and among its presidents were such men of national repute as James A. Garfield and Charles D. Drake, while its membership included such women as Kate Field, Mrs. Dahlgreen, Olive Logan, and Mrs. C. Adele Fassett. They were the brightest, brainiest, most learned lot of men and women of earth, and nothing of public interest ever escaped them. In short, it was a genial ar-

istocracy of brains, where clothes didn't count; and a night amid the boundless fields, green grasses, and limpid intellectual waters of that Society was always worth a year among the herd.

Along in the late '70s and in the '80s, I often accompanied Miss Johnston to these meetings of her beloved Society, and was present with her one night when she read a paper on the Federal Constitution, once characterized by great Gladstone as "the most wonderful instrument ever struck off at a given time by the brain and purpose of man." In her paper Miss Johnston took occasion to explain why and how it was that the four years of a presidential term happened to begin on March 4. That day was not originally fixed by either Constitution or law; but a resolution of 1788 simply and only provided that on the first Wednesday of March following its ratification, this Government should commence its proceedings under the Constitution, and as that first Wednesday in March happened to fall on March 4, 1789, that day was thus fixed as the day for the commencement of the presidential term. Among the many then present was the venerable George Bancroft, who sat there stroking his snow-white whiskers, and profoundly interested. At the conclusion of Miss Johnston's statement, I can never forget how the great historian said: "What's that, what's that, Miss Lizzie? Read that statement again, please." With a smile, she re-read her explanation, when the old man said: "Well, you are no doubt right, but you state an historic fact that escaped me."

One morning in 1897, Aunt Lizzie and myself, with a party of friends, started by trolley to go from Washington up to Cabin John Bridge for an old-time Maryland dinner. While waiting to change cars at Georgetown, we were look-

ing down on the street below at the "Old Key Mansion" and discussing the time when in that historic house Francis Scott Key put the finishing touches on his immortal "Star-Spangled Banner," when she pointed out an old, thin, spare, shriveled woman at the second-story window of a little wooden cottage that stood just by us, and asked: "Have you ever met that woman, or do you know who she is?" Upon my answering in the negative, she told me that this was Mrs. E. D. E. N. Southworth, the great novel-writer of half a century before. Mrs. Southworth must have been in her dotage then for her fad was to never wear stockings that matched in color, while she still read all the daily papers and raised the dickens in every language at her command with "the butcher and baker and candlestick-maker" at the market-places. While still talking about the famous author of these long-ago novels, along came our other old friend, Clara Barton, president of the Red Cross Society of the World. In the impromptu reunion then held with these distinguished travelers and scholars, maybe I should have recalled my early disadvantages, but the honor and dignity of old Missouri, not less than the duties of host, rested on my shoulders, and as we all boarded the cars for the famous Potomac resort, the far West was not wholly without its representative.

The last time I met Elizabeth Bryant Johnston was in January, 1907. I reached Washington one night and on the following morning she called to see me. She was then past seventy-four and had been my friend ever since I was a boy. Her talk was as bright as ever, but to me there was an expression of her face that was new and I feared the end was not very far away. However, she and her friends dined with me that evening and I took her home. Once in the parlor, where I had so often been entertained, at her request I went

to her room to light the gas—"I cannot afford to run the risk of being frightened," she said. Then she called upstairs to me: "Henry, in my library you'll find Bartlett's 'Quotations'; remove that book and the one next on the right, and bring me that which you find there." I did so; it was a pint of whisky! Taking this down and handing it to her, she asked me to bring two glasses; I did so, but said: "You must drink alone, Aunt Lizzie, for I am on the water-wagon now." "Not with me, Henry; not with me," she answered. So I filled her glass and put a very small drink in mine; but she protested, "That is not a drink for a Southern gentleman; fill your glass, for we must take one more nip of good old Bourbon together." So we did; I bade her good-night and returned to my apartments. Early on the following Sunday morning her trained nurse called and said, "Miss Johnston has just died!" Her sudden death was a great shock to me, and especially so as she was the fifth of my Washington tried, true, war-time friends to pass away within the past two years: Colonel and Mrs. Lewis Cass Forsyth, the Judge and A. D. Johnston, and now Aunt Lizzie. A few days later I there attended her funeral as one of the honorary pallbearers of my life-long friend, and was again surprised to note this additional evidence of the flight of time: Out of the scores who attended that funeral, the old librarian, Ainsworth R. Spofford, and I were the only survivors of the many who nearly forty years ago used often to meet at the weekly gatherings of the famous Literary Society, and since then brother Spofford is gone. Next?

FRANCES BENJAMIN JOHNSTON, Washington, D. C. From the time she was a baby in long gowns I have known and been proud of this many-sided and rarely endowed woman. No

achievement of hers, nothing she has ever done, surprises me, for greatness and goodness are her birthright. Early environment, education, and association make every Virginian as firm a believer in blooded people as in blooded stock. On both sides of her house, as far back as history runs, Miss Johnston's people were of gentle blood, yet that blood inherited not only a strong strain of fight, but of intelligent, well-directed effort and accomplishment. Her father, the late A. D. Johnson, was my chief away back at the close of the war; her mother has been and is my friend; as are many other distinguished members of the Clan Johnston, and I am fond of them.

Miss Johnston spent four years in Europe, mainly Paris, learning the science of illustration with the brush, to make clearer to the masses her mother's public writings and her own. Both are famous as magazine and newspaper women. But in 1889 our eldest daughter, now Mrs. Mabel Rudolph, accompanied me to Washington to witness the inauguration of President Harrison, and we were the guests of the Johnstons. Their mutual pleadings were so strong that I finally yielded, and daughter remained East for a year, most of the time as the guest of Miss Johnston. *En route* homeward from New York that summer, I visited with the Johnstons for a day at Washington and then went on over into Loudoun County, Virginia, to find a good place for Fan and Mabel and myself to rest and enjoy one good, long play spell. When I was a boy, the Loudoun Valley was as quiet, peaceful, restful, and lovely as the Garden of Eden; but I found the whole country transformed into a summer resort by 1889, while Coney Island was about as quiet. So, after some days of fashionable torture, I returned to Washington and at my suggestion these two girls first spent a season over at the seaside and then procured a kodak and went down to the home of my Virginia ancestors.

They knew I was especially anxious to secure kodak pictures of Ripon Lodge, in Prince William County, and of various historical family scenes about the ancient town of Dumfries; but instead of this, like the laughing, careless girls they were, Fan and Mabel kodaked every "nigger and a mule," and every other amusing scene they came across on their trip, and one of the results is that I have no pictures of the ancestral homes so much desired. Dumfries was the Colonial home of some of our people, while Ripon Lodge has been in our family since 1650.

One result, however, followed this expedition down into Virginia, most fortunately for Miss Johnston. Her personal experiences with their little kodak revealed to her the limitless possibilities of the camera; she at once commenced the scientific study of photography; soon abandoned the pencil and brush; perfected herself in her studies; opened and still operates one of the most complete photographic galleries in the world; by the camera now illustrates all her own magazine and scientific articles for the press; and is to-day in the front rank as an American writer, as she is easily our foremost artist. If there be anything to be achieved with pen or camera that has not already been accomplished by this gifted woman, I have never heard of it.

EMMA LEONIDAS KELLY McCLELLAN, Crary, North Dakota. This is a long name, but the subject is longer and bigger in all ways. For many years her father, Henry Bascom Kelly, edited and owned *The Freeman* at and was a State senator from McPherson, Kansas. There I came to know every member of the family well, for they lived next door to my youngest sister, and our two eldest daughters many a summer spent their vacation with their aunt, where the Senator's two children, Emma and Gilby, were their daily playmates.

After completing her education, Emma spent some years in newspaper work on the Kansas City and Chicago dailies, and in the summer of 1897, under a contract with a Chicago syndicate, made her first trip over the famous Chilcoot Pass, to Dawson on the Yukon in Alaska. While there that time, when not looking after the vast business interests entrusted to her care by the investors mentioned, she became greatly interested in the gold-fields of that far-away country, and was the ready correspondent of many magazines and newspapers throughout the States. Since then she has made several trips to that north country to personally superintend her many interests in the gold camps of that region; but three years ago married Lewis S. McClellan, and they have since divided their time between their wheat and barley farms of North Dakota and that part of the footstool which we who live here fondly call "God's Country."

While her initial employment was under advisement, among others Emma consulted me as to the probabilities of success of her contemplated trip into the frozen North, and told me all her offers, plans, doubts, fears, and hopes. I only said: "Emma, if any woman on earth can make that trip successfully, you are that woman." That settled it; she went and won. Upon her return she was a guest out at our home, and the memory of her first night there is not forgotten. At dinner she commenced to talk (and no one can be more graphic with the tongue) of her personal experiences of the past years, the perils and incidents of the long lonely journey across the unknown pass, down the Yukon, through the chain called Bennett's Lakes, the arrival at Dawson just the night before the ice covered the Yukon and closed all navigation and travel; the cancellation of many mining claims and the purchase of others; the wild life among wilder people; the tragic, dramatic, and comic incidents of journey and life; and

the final return home via Behring Straits, Seattle, and San Francisco. She was so interesting in all these details that when she came to a stopping-point, about 2 A. M., not one person around that board, from the alleged head of the house to the youngest grandchild, ever recalled when or how the servant removed the dishes from that table, nor the flight of time.

Among many things, Emma spoke of the great kindness then shown her by two pioneer Yukon chums, who had then been in that country for fourteen years, and knew everything and everybody up there—"Pat and Jack." Pat, of course, was Irish, while Jack was a canny Scot; but to her they were as loyal and faithful as any two dogs of the North. The next morning after her arrival there, Emma was looking about Dawson for a good square breakfast after her many long days of canoe, camp, and march. She fell in with and inquired of Pat. Astonished, he said: "Why, you must be somebody! Walk right up to our shack and you shall have the best there is on the Yukon." *En route* thither, he inquired and she gave him her full name. "Too long," was his knowing comment. "Then call me Miss Kelly," she said. "Miss don't go on the Yukon," he answered. "Then call me Emma," she suggested. "Won't do," said Pat; "there's a dance-hall girl in this town that come up from Frisco who answers to that name; you are a good, square, honest woman and must have something good. What's your other name?" She told him it was Leonidas. He first said that was also too long, and then, after a moment's reflection, he inquired: "Say, how does Lonnie strike you?" She said, "All right," and by that short, simple name she is still known throughout the Yukon country.

Among the many passengers upon the steamer which brought them out of that country were "Pat and Jack."

Blessed with gold and mines and riches, both were returning to the old childhood home across the water to see "the old folks," and paralyze the neighbors after their many years of voluntary exile in the far North. At San Francisco they implored Emma to go to the stores and buy each complete outfits of good clothing, for up to that hour each had worn the garb of the Yukon, and neither knew anything about the "store clothes" of the day. She did so, and then for the first time in fifteen years each appeared clad as a gentleman. They were long in becoming accustomed to this change, for in all these years neither had once seen the other except clothed in the furs and skins of the North. So they looked at each other long and lovingly, and at last the tongue of each found expression in the oft-repeated words: "Well, I'll be damned!"

Pat and Jack stopped with Emma at Topeka and visited with the Kellys for many days. Her talks in Alaska concerning her kind, good, motherly mother had a fascination for Pat, for they reminded him of his own mother back in Ireland. As their train skimmed eastward over the Kansas prairies, approaching Topeka, Pat often paced back and forth in their sleeper, much agitated. Finally he said to Emma: "Say, Lonnie, would it greatly embarrass your mother, and do you think she would understand it, when we get off this train if I should kiss her just once as I would if she were my own mother in Ireland?"

JOHN FLETCHER McDOUGAL, Daviess County, Missouri. In saying a word concerning the life and death of my venerable father, I cannot here do better than to reprint that notice which appeared soon after his death in a local newspaper, and that will be done.

In passing, however, it may not be amiss to say again, as I once did in writing a short history of our Clan, that away

back at the dawn of history the name we bear was spelled Dhu-Gal; the members of the Clan were early called the "Kings of the Isles," because of once owning all the islands of the sea on the west coast of the Highlands; later they grew rich and powerful and owned all that coast, and went so far in 1306 as to fight with and overthrow King Robert Bruce, and for a time reigned and controlled all of Scotland. The Bruce, however, again gathered his scattered forces and gave battle to the Clan now known as the McDougals, defeated and routed them, resumed the reigns of government, and since that day our Clan has not been a potent factor in Scottish history. My father's sketch was this:

"THE PASSING OF A PIONEER.

"John Fletcher McDougal died at the home of his grandchildren, Mr. and Mrs. Thomas E. McCluskey, in Gilman City, on Monday evening, January 28, 1907, in the ninety-third year of his age.

"Born in Marion County, Virginia, on May 1, 1814, the lineal descendant of the ancient Scottish Clan McDougal, this venerable man inherited from his rugged ancestors the iron will and strong constitution which prolonged his life so far beyond the allotted 'three score years and ten.' His grandfather, Rev. William McDougal, a distinguished and powerful Presbyterian preacher, was sent as a young man by the Presbyterians of the Highlands of Scotland to take charge of an isolated band of that Church located on the Monongahela River in Virginia (now Morgantown), away back in Colonial days, and literally died in the harness—preaching up to his last week—at the age of 104 years; while Mr. McDougal's father and mother died in Virginia in 1861, each nearly ninety years old.

"Mr. McDougal was twice married. First in his early manhood to Elvira Boggess, by whom he had ten children, seven of whom survive him; namely, Martha, wife of Dr. R. L. Greene, Anadarko, Oklahoma; Margaret, widow of David F. Megill, Tyro, Kansas; Delia, wife of Wesley Keplar, Perry, Oklahoma; Henry C., Kansas City, Missouri; Festus H.,

Princeton, Missouri; Luther E., Eugene, Oregon; and Clara Elvira, wife of Dr. G. A. Tull, Clay Center, Kansas. His first wife dying in 1855, during the Civil War he married Harriet Upton, who died about three years ago, and by whom he had two children; namely, Basil H., Van Wyck, Idaho, and Maude, wife of G. Sterling Tuthill, Combs, Arkansas.

"As a farmer and stock-raiser, Mr. McDougal prospered, provided liberally for his family, lived well, educated his children, yet by his frugal habits accumulated a comfortable fortune, nearly all of which, however, he distributed equally among all his children some two years ago, since which time he has attended to little if any business, and calmly and quietly awaited the closing scene which he often expressed the hope would come soon.

"In politics, Mr. McDougal was an old line Whig up to the dissolution of that great national party, and has since affiliated with the Republican party; but above all he was a protectionist. Up to a short time ago, nothing pleased him more than to tell of riding 75 miles on horseback to hear Henry Clay discuss the tariff question in the campaign of '36; of the disastrous panic of '37, etc. He died in the firm belief that Henry Clay was the greatest American statesman, living or dead.

"After enjoying a successful career in his native country, Mr. McDougal came to Missouri, bought a large farm on the 'Bancroft Prairie,' in Lincoln Township in this (Davies) county, forty-one years ago, and lived on that prairie, which to him was the fairest and the best in all the world, until the end. He was genial and companionable; no one loved to hear or tell a joke or story more than he. Blessed with unusual strength of both body and mind, clear of head and kind of heart, careful and close, yet just and fair in all his business transactions, it was his proud boast that he 'never either cheated or got cheated,' and that 'his word was as good as his bond,' and both were true. Thus he spent the ninety-three years of his life, and thus he died. No wonder he has held to the end the respect, esteem, and confidence of all who knew him. All his strong mental faculties were spared to him in a most marked degree, and up to about a year ago he could read and write without glasses, and kept fully abreast with the events of the day. Then body, mind, and memory com-

menced to fail, and for months, in fancy, he lived nearly all the time 'back in Virginia'—with the family, the friends, the trees, the streams, and the mountains of his boyhood and early manhood, and in this condition he finally fell into a gentle slumber, even as a child falls asleep, only to awaken on the further shore.

"On Wednesday, 30th inst., the warm-hearted, generous, good people of the 'Bancroft Prairie'—the neighbors and friends among whom he had gone in and out for more than four decades—with tender hands, laid away in the Pilot Grove churchyard east of Bancroft the frail, wasted form of the genial old man who had been a friend of all."—*Gallatin North Missourian*.

ALFRED MEADE, Fairmont, West Virginia: This mulatto was born a Virginia slave, but up to the day of his death in 1907, then over four score years of age, few men of any color were blessed with more real friends, and I never knew one who more deserved them. His suavity, gentleness, and rare good sense may have been inherited from his slave mother, or from his father, who was reputed to have been once the Governor of that ancient commonwealth; but I never questioned him and never knew, accepted him at his face value, and that was great. The spirit moved me to write my old friend a letter on New Year's day, 1901. As the Fairmont *West Virginian*, his home paper, printed that letter as a tribute to his memory at death, it is here reproduced in full:

"AT HOME.

"KANSAS CITY, Mo., January 1, 1901.

"To Mr. Alfred Meade (Colored):

"DEAR UNCLE ALFRED,—I have just read in *The West Virginian* an account of the death and burial of our old friend, Isaac Davenport. I am sorry he is gone, for as boys, way back fifty years ago, when he was 'Kearsley's nigger,' we played and laughed and sang and fought together. He was black and a slave, I white and free; but among the boys of that country and time these little differences didn't count.

Later on, when I was mustered out of the Army and went to Gallipolis, Ohio, as a clerk in the Quartermaster's Department, I found Ike there as an all-around messenger and office-boy in the same office. Because we had known each other always and came from old Marion County, Ike was especially good to me. Right before me on my desk now is a photograph of a group of ten of us young fellows taken at Gallipolis on Christmas day, 1864, after we had all partaken freely from a big bowl of egg-nog prepared and presided over by Ike Davenport, and it saddens me now to look at that group and know that out of the ten but two of us are to-day living. Ike was not the most reliable boy in the world in those days, but he cut a wide swath among the 'contrabands' who flocked to that good old French town in Ohio from the Virginias and Kentucky, for he could laugh like a comedian, talk like a preacher, or swear like a backslider, as the occasion required, and was very much in demand. But Ike was true to me, kind and obliging, and I never saw him when he was not in a good humor. So I always liked him, and after coming West, I never revisited the old home without hunting up Ike Davenport for a long talk of the old days.

"When I was in Fairmont last September, of all the black men I had known when a boy, I met and talked to but three whom I knew as slaves—yourself, John Jackson, and Isaac Davenport. All the others, like most of my familiars of that country, were then sleeping the last, long sleep, and now Ike sleeps with them.

"After spending two weeks there in the town and up about my old home on Dunkard Mill Run, visiting old friends, scenes, and graveyards, finding that I knew so few of the living, so many of the dead, I then realized the sad fact that I need no longer look for the friends I had known and loved during boyhood days in either street, highway, home, or church, but in the cemeteries, for there most of them rest, and there, and there alone, I knew almost every one.

"Sitting here at home in my library on this the first day of the new year and of the new century, writing about Ike, my mind runs away back to the old slavery days—to you and Uncle John Jackson and Ike, and I can't recollect the day when I didn't know all three of you. Again I see outlined against the clear blue sky the tall, straight, stalwart young form of Uncle John, following the plow away up on the hill

in a field on the old Cramer farm—just as I saw him while riding down the Pike with my father half a century ago. And again I see him at the great camp-meetings the Methodists used to hold at old Gilboa, along in the '50s out under the shade of the great oaks between the camp-ground and Uncle Elias Dudley's farm-house, with the many other 'Cramer niggers'; they selling ginger-bread, 'sweet cakes,' and cider, and he at his crude barber-chair, shaving the young gallants of that day 'two days under the hide, suh.'

"Looking backward through the mists of the years upon those annual gatherings of so many good people, I am to-day satisfied that what I most worshipped at the camp-meetings was the luscious ginger-bread sold by the darkies. And one thing that occurred there while I was eating a large section of that much-loved 'goody' and listening to the happy talk, laughter, and song of the blacks, I shall never forget. Now, I knew every slave in the country by his Christian name—as Alfred, John, Ike, Jep, Uncle Watty, and the like—and so when I heard someone speak of a black man as 'Mister' so and so, I was puzzled. Upon inquiry, I learned for the first time that all of your race there had surnames just like white folks. It was a most astonishing revelation to the boy with the ginger-bread.

"And as to you, Uncle Alfred: I trust you will recall with as much pleasure as I do the facts that, as a boy and young man at the old Mountain City House, nothing was ever too good for 'Mister Henry,' and I was the only guest of that house, during all the years you were there, that ever got the exact twist of your wrist and elbow, and rang that old dinner-bell precisely as you did. No proprietor could ever detect any difference between your ring and mine.

"Then as raw recruits we spent the day before we started away to the Big War in July, '61, at Fairmont, in taking all sorts of strange oaths—to support the Constitution, uphold the flag, obey our officers, etc., and in drilling in 'hay foot, straw foot' fashion; and when night came and our Captain (Showalter) quartered us at the same hotel, I was too tired and hungry to think of anything except eating and sleeping. But I was the youngest of the country boys at the hotel (the town boys sleeping their last night at home), and, with your usual politeness and kindness, you looked after my wants, gave me the best of the superb hot biscuits, coffee,

steak, fried chicken, vegetables, and then two kinds of pie! By George! I can taste that supper now. But I'd give a lot of money to-day if I could get as hungry as I was when I sat down at that table.

"Later on, when I got through serving Uncle Sam, and went back to that hotel in March, '66, and fell from the open window of room No. 4 on the third floor, it was you, coming back from the 2:50 a. m. train, who discovered me moaning and unconscious on the pavement below; you that carried me up stairs to my room; you that went out in the storm and darkness and brought Doctor Brownfield, Benny Burns, John Crane, and Chap. Fleming to my bedside, and you that with them kept the details of that catastrophe a secret until I told the story there myself years afterward. When I arrived that day, the boys determined to give me a supper. As usual, I spent the evening with a beautiful girl, and when I got back to the hotel at ten o'clock, the boys surprised me by their presence in my room, as well as by the table loaded with good things to eat, drink, and smoke. You waited on us. To show them I hadn't forgotten how to do it, I took two, and only two, drinks of whiskey that night. In those days, as you know, I could, and sometimes did, drink till 'the wee small hours,' and after two hours' sleep, get up looking as pious, virtuous, and sober as a priest. So I have always believed that the loss of the two nights' sleep in traveling home made me so drowsy that when I raised the window to let out the smoke and sat down on the sill for the fresh air, I went to sleep and fell out; but maybe it was the two drinks. Whether drunk or only sleepy doesn't matter now, for of the eleven dear boys who honored me that night, all save three are slumbering in their graves now, and the survivors are sober, sedate, and honored citizens, well along in years. As for me, at fifty-six I am little changed, being about as good and about as bad now as then. And looking backward without regret, and forward without fear, I to-day cross the threshold of the new century with no new resolves or purposes, content with the past, hopeful of the future. Neither the long years nor the sorrows and joys of the century just closed can be mine in the new one. But I earnestly hope that while on earth I may enjoy the new as I did the old, and most of all, that I may do as much good and as little harm in the future as in the past.

"Among the many tender memories of the long past, but few give me more real pleasure than the recollections of my associations with the unselfish, generous, kindly people of your race and color— then mere chattels. My knowledge and observation of them and their goodness to me led me to say, in a public speech here some years ago, that I should always remember the old-time negro slave as 'the kindest and the most faithful of the creatures of God.' Loving fun and laughter and music and song and dancing, the great majority of the slaves of Virginia had all their kind, sympathetic, simple hearts could wish, except the one thing for which they always longed—freedom. They finally got that; but I have often wondered if, after freedom came, many of the good, honest old-timers didn't sigh for the return of the old slavery days, when they took no thought of the morrow, had no cares of their own, sang and danced in the cabins at night, and always had more fun at Christmas-times than did their masters. The negroes of the new generation never got so close to my heart as did the old-time slaves. In them there is to me something lacking, whether it be the true politeness, gracious kindness, honesty of purpose, integrity, truth, and faithfulness of the old-time slaves it is not necessary for me to say; but certain it is that there is a wide difference between the old and the new, and with me that difference is all in favor of the old. Still, I have ever been and to-day am the friend of the Black Man, and have done my duty in earnest effort to uplift and better the conditions of old and new alike.

"That you and Uncle John Jackson are to-day the only two survivors of the good old slaves I knew as a boy is but another of the thousands of reminders of the flight of years. Man and master will alike soon pass away—'Earth to earth, ashes to ashes, dust to dust' will be said over each, and then the wondering world will look down upon the grave where sleeps the cold, mute, black form of the last American slave! That you will live to be the last survivor of that race I dare not hope, for you are now well stricken in years and thousands were born in slavery after you were past forty. But I do earnestly hope that you are to-day enjoying a happy New Year and that in peace and plenty you may live to enjoy many more.

"The return of my good wife and children, and guests from the New Century matinee recalls me from the dead past

to the living present. By looking over my paper, I find that I have written you a long, long letter. I'll take it to the office in the morning and have it copied on the typewriter, so that you can read it. It has been a pleasure to me to write it, for the story told itself, and then—I always liked to talk to you, anyway.

“And so, Uncle Alfred, with grateful and loving thanks to you for your many kindnesses to me as boy and man, and with kindly remembrances to Uncle John Jackson and other old friends, black and white, in bidding you good-bye, I beg you to believe through life that I remain.

“Sincerely your friend.”

OH-LO-HAH-WAH-LA, Chief of the Osages, Oklahoma: In January, 1899, I was dining with a friend one night at the Pawhuska Agency, Oklahoma Territory, and in the land of the Osages, when a messenger appeared and said I was needed at Maher's Hotel at once. I went, and to my surprise found ten Osages awaiting me at the hotel office, with two mixed-blood Osage interpreters; but what these dignified, painted, blanketed Chiefs of the tribe Osage could want with me was mysterious. The interpreters explained that these were the head Chiefs of one faction of their tribe, and that they wished to hold a “council” with me, with the view of my probable employment as a lawyer to represent their side at Washington in the pending election contest between Oh-lo-hah-wah-la and Black Dog for the office of Principal Chief of that tribe. The head Chiefs then represented clans or neighborhoods; the real Chieftains of the tribe were elected biennially. As I had never seen a “council” and had but a feeble notion as to what to do, or how just then, to gain time and pull myself together, I invited the party to my rooms over the parlor on the second floor of the hotel, where we could have a private talk. All agreed to the change and we adjourned upstairs. I never thought faster in my life than for the next few minutes. While the inter-

preters arranged chairs for their Chiefs in a semi-circle around my table, I recalled the facts that above all things the Indian admired a military air, and doted on clear, short sentences and gestures. So by the time the Chiefs were seated, my Prince Albert was closely buttoned, a soldierly front presented, and standing thus at the head of my table, I announced ready for the "council." The Chief to my right in the circle was Oh-lo-hah-wah-la. He arose with dignity, adjusted his blanket, approached the table, gave my hand just one pump-handle shake, said "How!" and returned to his place, where he stood and made his speech in the Osage tongue. The Chief to my left then went through exactly the same formula. The others followed suit until all had thus done and spoken. Each of the ten speeches was interpreted, and to each I replied as concisely as any Indian, through the same channel. Then in the Osage tongue they gravely and earnestly consulted for some minutes and at its close thrice spoke the only English word I knew: "How! How!! How!!!" Answering my inquiry, one of their interpreters explained: "They say they like you, your military appearance pleases them; your answers are highly satisfactory; they want you to represent them as their counsel at Washington; they accept your terms, and will have the cash for your fees at this hotel by daylight to-morrow morning." So the "council" ended; each Chief, beginning with the first spokesman, arose, saluted, shook my hand once, said "How" again for "good-night," filed out of the room, and I saw them no more. Their representative wished to send a delegation of the "progressives" with me; but I said "No," and chose Julian Trumbly to accompany me to Washington. Julian was born here at Kansas City, on the present site of the old Union Depot, in 1848; is an intelligent, educated, half-breed Osage,

knew all the facts, and could help me in their case. Together we journeyed to the nation's capital, and there had connecting rooms at the old Willard. From my window on the F Street front we watched the pranks played by the big snow-storm there in February, 1899, and that fearful night entertained in our rooms some old Washington friends who could not reach their homes through the deep-drifting snow. For days I was busy arranging our testimony and preparing a brief in the case, but reserved Julian's affidavit for the closing. The case was at last set down for hearing by the Commissioner of Indian Affairs, and with my stenographer I was anxious and ready for my last bit of proof; but Trumbly had disappeared! After an absence of over twenty-four hours, he came back to our rooms and submitted his statement of facts, when I learned that, like a true son of the forest, he had been holed up in a room somewhere preparing his affidavit with his own hand and in his own way. This statement was couched in the language of the Indian, but was as clear, strong, and able in all its details as if prepared with the learning, experience, and wisdom of the Chief Justice of any Supreme Court in the land. Julian knew his ground, accurately stated the exact facts, and that, too, in the shortest words. So when all our other testimony was read to the Commissioner at the hearing, I said to Trumbly: "When all our proof is in, I must make an oral argument; my voice, you see, is growing hoarse, and you will oblige me by presenting and reading your own testimony." He did so. No preacher at a camp-meeting ever "roared" a sermon stronger or better; all were not only pleased but delighted with the effort, and our case was taken under advisement on that day. During our thirty-days stay at Willard's, my friend Colonel Van Horn was a frequent visitor at our rooms, and he and Julian became warm friends. One night Trumbly said to me: "I like the Colonel; he is my

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kind of a man; he has more sense than anyone I have met here; and then he talks with his head, arms, and body, as well as his tongue, just like an Indian!"

LA SALLE CORBELL PICKETT, Washington, D. C. Among the many books written and printed by this gifted and beautiful woman may be named "Pickett and His Men" and the "In De Miz Series," the last in four volumes. Then she has also written many short sketches which may to-day be found in magazines and newspapers throughout the country, and no one is more popular on the lecture platform.

She was born and reared down in the tide-water country of Virginia, and in that part of the footstool, away back in Colonial days, when the planter did not wish to disclose his exact location, or the human interrogation point propounded the inquisitive question, he had the answer: "From P-anketank, where the bullfrogs jump from bank to bank." It was there too that when one wished to convey the impression that he knew everyone in the wide world worth knowing, he was wont to say: "Why, sir, I know everybody, sir, from tide-water to Piedmont." The valley of the Piedmont affords to-day one of the most beautifully attractive bits of American scenery, and in his wide sweep to the westward the old colonist was not far from right when he stopped at that valley.

When she was still a young girl, and just after he had led the historic "Pickett's charge at Gettysburg," La Salle Corbell was married to that dashing Virginian, General George E. Pickett, then of the Confederate Army. The story of when, where, and how General Pickett marched and camped and fought from that day on to the surrender in April, 1865, is told in the most graphic and accurate manner in Mrs. Pickett's first book, "Pickett and His Men." In peace and plenty and at his home, the fearless Pickett finally joined the

great and silent majority in 1876, and since then Mrs. Pickett and their children have resided nearly all the while at the nation's capital. Neither her tongue nor her pen, have been idle, nor could they be, since the soldier husband passed away, for the writings and lectures of the widow and the mother have employed all her time; she has there reared and educated their children; enlightened and entertained her unnumbered friends; held the confidence, love, and esteem of all; and scattered rays of sunshine wherever she has been; and, although her ample locks have long been white, yet through the years she has preserved the graceful outlines of both face and form, while her gleaming white teeth (no thanks to any dentist, either) are to-day like those of a girl.

For many years we have had the habit of helping each other over the rough roads of life. So, naturally, when she called upon me to look over her first manuscript of "Pickett and His Men," I responded. To me it seemed that this book must be a winner. She originally contemplated having in it a full reproduction of General Pickett's report of his famous charge; but the Spanish-American War came on; with his usual great tact, President McKinley appointed her son, George E. Pickett, Jr., an officer in the Army; the North and South for the first time were reunited and the Civil War clouds had rolled away before her book was printed. So it was then deemed best to omit the publication of that report. Hence the public does not know to this day just what General Pickett said about Gettysburg. Mrs. Pickett had the General's original report and I suppose still has it, for I have read it. She also knows of the talk between R. E. Lee and George E. Pickett after the charge. Pickett made his report. It was never made public and was then returned to him through the proper military channels; but out of compliment to the

memory of Lee and "the lost cause," and lest old wounds might be reopened and still rankle, the solemn and soldierly words of the great Lee were respected when he said: "We have the enemy to fight." No good could come now from again opening a controversy waged with so much bitterness through all the years, and perhaps it is still best to withhold both report and talk; but a curious people will always wonder how and why all these historic facts have been withheld.

WILLIAM F. SWITZLER, Columbia, Missouri. Full of years, and with a full head of white hair, and long white beard as well, this good man slept with his fathers only a short time ago. From an early day in the West, he was one of our most forceful and perhaps most voluminous newspaper writers, and wrote a number of attractive and readable books, if not always accurate; but in and through his life he was one of our most forceful and perhaps most voluminous newspaper a staunch, vigorous Union man, and his people honored him with membership in the Constitutional Convention of 1865 and again in that of 1875.

As a revered member of the Missouri Historical Society, Colonel Switzler was present when, in March, 1904, I delivered my address to that Society, in his town, on "A Decade in Missouri Politics, 1860-1870, from a Republican Viewpoint." It was later printed in full by that Society. For thirty-five years I had been putting in an envelope in my office desk many forgotten references to the history of that stirring period, and then used many facts and things not generally known; but gave to loyal Democrats of the State the credit for having then saved Missouri to the Union. Many of the over 50,000 who were Whigs prior to that war became Democrats soon after it closed, and among them was my

friend the Colonel. With political conditions in my mind as I found them in Missouri, in this address I failed to give to these once Whigs their due credit in war, and had said in substance that the long Convention of 1861-3 was the strongest, ablest body of men ever gathered together in the State. Colonel Switzler was to say, on the same day, that an abler set met in another Convention—of which he was a member. So for an hour after I closed the Colonel was furious, because of these two statements. Later on, we met at the St. Louis World's Fair in the summer of 1904, and the Colonel graciously told me that he had since read my address with care and that it was all right in all things, except the Whigs should have been given their proper credit! That omission he never quite forgave.

THOMAS H. SWOPE, Kansas City, Missouri. This public benefactor and philanthropist was born in Kentucky eighty-two years ago, graduated from Yale College with the class of 1849, and in 1857 came to and resided in this city from that time until his death, which occurred only last week. Among many other public benefactions, he donated to the people of Kansas City in 1896 the beautiful playground which to-day bears his name and consists of 1354 acres of picturesque land within the present city limits. At that time I was City Counselor, and when Swope Park was formally opened to the public, among many speeches, I made a little talk, the closing of which was this:

“When the names of the hardy pioneers who pushed their way far into the wilderness and established Westport Landing shall have been lost in the tangled wildwood of memory, when the names of the strong men who, a third of a century ago, by brain and muscle raised the straggling hamlet of Westport Landing into the dignity of the city of Kansas City

shall have been forgotten; when the men who speak and the women who sing and laugh and love here to-day shall have mouldered back to dust; when generations of Kansas Cityans yet unborn shall gather, as we have to-day, beneath the cooling shade of these grand old oaks and elms and shall inhale the perfume of flowers, the invigorating, health-giving airs that blow so balmy nowhere as in Missouri groves; when Kansas City shall have increased its limits until this park is surrounded by homes and, instead of the population of to-day, Kansas City shall contain one million of people—then will there still be one name that is a household word in this city, one man whose memory will be revered and praises sung—that name will be the name of the pioneer public benefactor of Kansas City—Thomas H. Swope.”

SEYMOUR DWIGHT THOMPSON, St. Louis, Missouri, was born in Illinois in 1842; removed when a boy to Iowa, where his father and brother lost their lives in a prairie fire; served his country in the Civil War, first as a sergeant in the 3d Iowa Infantry, and was mustered out as a captain in 1866; located at St. Louis in 1871, there became first the associate of John F. Dillon as the editor, and later owned and edited the *Central Law Journal*, commencing January 1, 1874; editor of the now *American Law Review* at St. Louis from 1875 up to his death; Associate Justice of the St. Louis Court of Appeals from 1880 to 1892; and finally died at East Orange, New Jersey, in 1904.

From its initial publication up to about 1880, each member of our old law firm of Shanklin, Low & McDougal was a frequent contributor of leading articles to the *Central Law Journal*, edited by Thompson; Colonel Shanklin often contributing strong, clear papers on criminal law, M. A. Low upon all sorts of legal questions, while my only production of consequence was a leader on “Directing a Verdict” in 1878.

In addition to his editorial and judicial utterances, his vast number of law lectures and legal monographs, Judge

Thompson wrote and printed many law-books, and among these I now recall his works on Self-Defense, Bankruptcy, Homesteads, Passengers, Negligence, The Jury, Directors of Corporations, Electricity, Stockholders, Trials, Corporations (7 vols.), and when he died his enlarged Negligence in six volumes was going through the press.

Up to date no other American law writer has either written so much or so well as Thompson. Others often merely compile, never originate anything, express no individual opinion; but he personally examined every case cited, wrote good law, and yet had and expressed his own opinion upon the right or wrong of every mooted question upon which he touched. So he was a fair and just commenter, and not a mere cobbler of the theories of others.

Every summer he took a vacation abroad, lasting from weeks to many months, and he always took along his eyes and his brains. In that way he became familiar with the peoples, languages, customs, habits, history, literature of the world as only the fewest travelers ever come to know all these things. That traveler understands nothing he sees, and would always better remain at home, who does not possess the necessary combination of time and money, eyes and gray matter.

From his legal writings, royalties, lectures, counsels, law practice, salaries, etc., Thompson's annual receipts were for many years largely in excess of that of the ordinary practitioner, but, unfortunately, he felt that he had a champagne appetite with a beer income, was an improvident spendthrift, and in consequence was always in hard lines financially. Nothing was too good for either his family or his friends, everybody that knew him loved, respected, and admired the man for his rare attainments, as well as for his goodness,

and had his annual income been a million, his output would have aggregated more.

In law, oratory poetry, literature, travel, he was equally at home, and in all these his memory was the especial marvel and admiration of his friends, while no one ever conversed about it all in a more entertaining way.

As one of the division attorneys of what is now the Wabash Railroad, I was often at St. Louis in the old days, and always there was a guest at the Planters' House, while Thompson lived out on Lafayette Park. Often there at the hotel, in the evening I found all bills paid, my belongings gone, and a note from Thompson saying that my luggage would be found at his home; be sure and be there to dinner! That was his way with his friends. With pleasure I now recall the fact that one evening after dinner out there, he said to me near midnight: "I must review a New York Digest to-night and you must help me." He called his stenographer into his den, and we two began that review, dictating words of praise and criticism, and alternating in the work. This was kept up for an hour by first one and then the other. When done, it was the worst lot of patch-work ever turned out, and later on this criticism was printed just as we left it; but no lawyer ever heard of that Digest afterward!

On another occasion I declined to go out to Thompson's home, because I had to take the Wabash Cannonball at 9:20 that evening and try a land case up in Gentry County, 200 miles away, on the following day. But he knew a French restaurant, with sawdust floor, down on Second Street in St. Louis, where we could get everything good to eat and drink, including jowls and greens, and imported wines from sunny France. Well, we dined there, and in that house nothing was neglected. Thompson repeated, in the French, and then

translated into English for me, every pivotal order issued by the first Napoleon in all his campaigns. For Napoleon the admiration of my friend knew no bounds, and his talk was so thoroughly interesting that when I glanced at my watch it was past my train time. Thompson only said: "Now you must stay another twenty-four hours," and at once resumed his Napoleonic recitation of facts, campaigns, and so forth.

When he was closing his seven-volume work on "Corporations," out in California in 1893, I happened in San Francisco, and was there the guest of Judge Thompson for some weeks. One Saturday night he took the floor early and kept it until midnight, and then I had my innings for two hours. We were alone in that big house on California Street, and not many of our reminiscences would have gone through Uncle Sam's mails. Finally both retired, he in the front parlor and I in the back, and the lights were extinguished. Then Thompson said: "McDougal, there is just one more story I want to tell you." In his bournous, he relighted the rooms, sat out in front of me, and began the repetition of his first experiences at the Pyramids of Egypt and of Boukier, his guide. But he had forgotten that he once told me all about this trip in St. Louis, and naturally I was not so much interested. There he sat, with the hood of that bournous drawn over his head as he had seen the Bedouins use it, and looking for the world like the pictured Sphinx. I happened to look at a clock just above him, saw it was 4:30 A. M., and promptly went to sleep! Neither ever knew how long Thompson continued his talk. Then and there I had the pleasure of bringing together him and that other great American traveler, my friend and neighbor, Fred Howard.

Thompson was the only soldier I ever knew personally that throughout the war carried in his knapsack a law-book. But much of his vast law learning was acquired in this way, and he never overlooked either the planning and execution of a military campaign, or the fundamental principles of his profession. He learned both while in actual war. The last night we spent together was at a Loyal Legion banquet at the Midland Hotel in Kansas City, not long before his final muster-out. In all his public addresses he simply talked, just as if he were dictating to a stenographer, and he often told me that this was the only way he could accurately state and impress his thoughts upon an audience. At the banquet in question, he gave one of the most graphic war experiences I ever heard, in his account of an expedition he made in the fall of 1861 from Kansas City to Sedalia, Missouri. Thompson was then an Iowa sergeant, and, dressed in citizen's clothes, he carried in his head an important military dispatch from one commanding general to the other—probably Curtis to Sigel. His description of the mule he rode, his details of his three captures by the Confederate and two by the Union forces, the routes of travel, the perils and the fun of the trip cannot be reproduced from memory, and I only hear his voice and see again the veterans as they listened to that wondrous recital.

GEORGE L. ULRICK, Carrizozo, New Mexico, is a native of New Orleans, Louisiana, was educated in the schools and universities of his native State, finishing his scholastic career in the temples of learning across the water; but, like many other high-strung youngsters of the South, had a row or misunderstanding with his early-day sweetheart down there, drifted to New Mexico long ago, and first located at White Oaks.

There on the then frontier of our American civilization, Ulrich sought to drown the memory of the sorrows of earlier times in hard work. For a short time he clerked in the store of "Whiteman the Jew"—since made famous through many books relating to that country—and then became in turn a surveyor, prospector, miner, herder, rancher, and cow-man; slept on the desert sands and on sheep-skins; lived much out in the open, and finally became the vice-president and general manager of a bank which he lately removed from White Oaks, a dozen miles down the cañon to the thriving city of Carrizozo. In all these years he has continued his scholarly accomplishments; his love of books is still strong, he is widely read and up to date in the literature of the world's classics, few better know the history and language of the Greek, Latin, French, and English peoples, and in all this time he has never once forgotten the fact that he is a born gentleman.

Not long ago he was down at El Paso, Texas, looking after some banking business, and on the street there accidentally came face to face with the girl he knew and loved long ago at their childhood home in New Orleans. Story-book and magazine writers, at great and interesting length, and with a perfect wealth of detail, often tell just how such meetings result; but what's the use? All I now say is that these two children of larger growth were soon married and are now living in their own beautiful home at Carrizozo. Mrs. McDougal and I there spent a delightful week with them in May, 1909, after two such weeks with Judge Hewitt up at White Oaks.

Ulrich still attends to his bank and looks after the business affairs of his legion of frontier neighbors and friends in the old way, while Mrs. Ulrich presides like a queen at their home; and to each other, as well as to close friends, they are still "George" and "Tish," much like they were in their old home "away down south in Dixie."

This generalization will be pardoned: Having read and studied most of the books in the library and being somewhat familiar with the peoples, history, and literature of the great Southwest, growing out of my many visits down there within the past, I have an abiding fondness for the people and unbounded confidence in the future of New Mexico. To me there is nothing so enjoyable as the fresh, pure air, the wide sweep of prairie, plain, desert, and forest, and the unaffected, free, open-handed, warm-hearted natural people of that country. Nor is it strange that those who have long lived there know more than the average man. The herder of cattle or sheep, the underground delver in mines for gold, silver, copper, lead, or coal, as well as the dweller in desert or forest, has the time to and does reflect upon and reason out problems of which the world knows little. They live alone, see few, read little, and simply think. For many years there I have personally known and highly respected Jo Spence and his brothers. They went to New Mexico poor, and engaged in rearing and herding and looking after cattle and sheep, remote from civilization, seldom meeting anyone save the buyer of live stock or wool. After years of isolation and attention to business, the three Spence brothers sold out ranches and herds, divided their money, each one taking \$75,000, and Jo and one of his brothers at once started upon and made a long stay in Europe. Upon their return thence, Jo was our guest here at Kansas City, and that young man then gave us one night by far the most interesting and instructive talk to which I ever listened on his personal descriptions of the relative attributes of the many foreign peoples of the countries through which they had traveled and of their international trade, labor, and business relations. Why? Because in his long years upon the plains Jo had been alone, reflected deeply, talked little, and, above all, had absolutely nothing to unlearn.

With and among such a people for nearly a generation—college-bred men and women, readers and students, thinkers and doers, cow-punchers, sheep-herders and cattle barons, preachers and teachers—George L. Ulrick has been on the same free and easy terms as mark the man to-day. His personal experiences and stories of life upon that border are always tinged with a human interest that is little short of marvelous to the tenderfoot; while, along with other things, he knows everybody and everything worth while, from the Panhandle of Texas to the Rio Grande.

When visiting at the home of the Ulricks, wife and I were driven on many short excursions out to the lava-beds (down on maps as the Mal Pais), to cattle and sheep camps, to mountains, to the famous Carrizozo cattle ranch, known as "The Old Bar W," and from there spent one more glorious Sunday down at Alamogordo as guests of our old friend, General Byron Sherry, and thence back home.

REUBEN ALESHIRE VANCE was born in 1845 at Gallipolis, Ohio, educated along with my wife at the old Gallia Academy there, served throughout the Civil War in the 4th West Virginia Infantry Volunteers, with his father, Captain Alexander Vance, and his elder brother, Colonel John Luther Vance, who commanded that regiment at its muster-out in 1865; afterward became distinguished as a physician and surgeon and died at Cleveland, Ohio, in 1894.

After his regiment quit the field and he returned home, we first met. I noticed that he never attended the parties or balls with others of the younger crowd and learned that this was attributable in part to his native modesty and reticence, but mainly to a vague suspicion that at the beginning of the war he had not done in all things as some of the rich and proud French of that ancient city thought he should. That did not

appeal to me. So I first made him my assistant in the office of the Depot Quartermaster at Gallipolis; and next insisted that he attend all public functions along with our crowd, which then dominated the town. This he did. Nothing was too rich for his blood after that. When I was sent to Cincinnati as agent to the Quartermaster General, I secured a position in that city for my good friend, and we there spent the summer and fall of 1865 together. On bidding him good-bye at the old Henrie House on Third Street there, as he was starting East to a medical college, late that autumn, he said to me: "I will some day get back to Gallipolis and teach those damned rich relatives of mine that I have more brains and more learning than all of them combined." He did. For, at the head of his class in all things, he finally was graduated at the Bellevue Medical College in New York in 1867; was at once made house physician and surgeon of the hospital connected with that college (an official position theretofore held by Dr. William A. Hammond, at one time Surgeon-General of the U. S. Army); resigned his office and practiced his profession privately in the cities of New York and London, traveled throughout Continental Europe, and returned to his old home about ten years later, famed throughout the English-speaking world. His unusual abilities were long familiar to his professional brethren, and as a surgeon they always ranked him first. But I shall say a word about the man and his wonderful memory.

While in New York he married a niece of Peter Cooper, the great philanthropist, and I have not met a brighter or better wife and mother. The light of my friend's life went out when she passed away in 1890.

When I visited at the home of Dr. and Mrs. Vance in 1878; he was preparing a paper for some British periodical explaining the origin of two mistakes, the one relating to "the previous question" and the other to the "seal." But the real

surprise of the occasion came when the doctor produced an autograph letter from the great Charles Darwin. I had been something of a student of his writings, and up to that hour had assumed that Darwin knew mankind inside and out better than anyone in his learned profession. But in this letter Darwin asked Dr. Vance to make a close, careful anatomical examination of an opossum and a rabbit, or other of the lower order of animals, and ascertain if they possessed a certain valve which he had discovered in man, and closed his letter by saying: "I ask you to do this, my dear Doctor Vance, for, as you know, I know absolutely nothing of practical anatomy." Darwin's reasoning was all on purely inductive lines; but it was great.

Dr. Vance was later practicing his profession at Cincinnati, and while in that city in the Kautz will case in 1880 and 1881, I spent much time with him. He was so absorbed in thought and reflection that he apparently cared but little for his fellows, was characterized as an Ishmaelite by many, and those nearest him have told me that he uniformly spoke well of but two men—his brother, Colonel John Luther Vance, and myself. But to these two he was always attentive, gracious, kind, and good. He was once in a row there with his professional brethren and was to deliver an address in answer to their criticism upon one of his public positions. Knowing all this, I tried to leave him to himself on the day he was to make his argument, so that he might be thoroughly prepared. But he would not hear to this, refused to look after his patients, and laughed and talked all day long with me until we started to walk to the hall. Then he said: "Don't speak a word to me until we start back home." His answer to his critics was a marvel of learning, eloquence, and logic; the lilt and swing of his tongue was grandly musical, and for a word or thought or clear argument he never hesitated for a moment. When

he closed, all conceded that his answer was perfect and complete; that all others had been in error and he alone right upon that particular question. No one was more astounded than myself, for, while I had long known that he had more of both wisdom and knowledge than anyone else I ever knew, yet I had never heard him talk on his feet until that night. As we walked back home, in answer to my inquiry, he explained to me that he never prepared anything in advance, and always waited for the inspiration to come as he was commencing speech, letter, or whatever else came up; that in theory he then divided his head into a sort of an apartment-house, with just five numbered rooms on each floor, and as many floors as his subject demanded; that in arranging any mental effort, he commenced by placing fact number one in room number one on the first floor, and continued on until he had filled every room on that floor; then treated all remaining facts, rooms, and floors in the same way, until his task was completed; but he said he must have perfect quiet while this was being done, and that up to date he had made it a practice to begin with his fact number one, used each fact in its turn and room, and had yet to lack for a moment for an argument. Only a Vance could do a turn like that; I've tried it, and the scheme does not work for me.

One day while in his office a telegram came entreating the Doctor to take the first train out of Cincinnati for St. Paul, Minnesota, and there perform an operation on some distinguished lawyer. He handed the message to me, and while I was reading it, the Doctor wrote his answer, which simply said: "Request comes too late; the Judge will die before morning." The next morning's papers contained a press dispatch announcing the fact that this lawyer had died at midnight.

One day in 1881 we went together to an old second-hand book store down on Vine Street there, where he had seen a copy of an ancient religious book antedating Fox's "Book of Martyrs," and which he wished to purchase and give to me. In going through the musty stock, I picked up a black letter copy of "Rasselas" and asked: "Reub, do you recollect when you first read this book?" At a quick glance he answered: "Yes, back in the summer of '65 you left it here in my den; I read it that night, and often thought I'd like to look at it again, but haven't; I've often thought of it, and believe to-day that Dr. Johnson's opening in that volume is the clearest and the best production in the English language." Then he commenced to quote, "Ye who listen with credulity to the whispers of fancy, and pursue with eagerness the phantoms of hope"; and for many minutes continued to quote, and I think accurately, from the opening chapter of that wonderful book, and this, too, after having read it only once sixteen years before! Of course, Reub was exactly right in his statements of fact. I have kept "Rasselas" in my library ever since that night in '65, and read and admired its commencement, possibly a hundred times; but the quotation just made is as far as I can go into it to-day

On account of his wife's health, Dr. Vance removed to Cleveland soon after this, and there remained until the end. There I often spent some days beneath his hospitable roof, and never once without both interest and instruction.

In 1886 my eyes became somewhat dim, and, being very busy, I had them examined by many oculists near by, all of whom recommended absolute rest for the eyes and varied only as to the time, some saying for a year and others for six months. As I could still read print just as close to my eyes and as far away as ever, I knew all these oculists were wrong; but the eyes grew weary in a few minutes, and I determined

to consult my old friend at Cleveland. Mrs. Vance boarded the same train there for New York that I alighted from, and so we two old cronies were left alone in their home. Dr. Vance would neither let me tell him a word about my eyes, nor look after a patient, but kept me there with him day and night for ten days. Then with his powerful appliances he made his examination in less than five minutes, and with his usual confidence said: "Your eyes proper are all right, my boy; a trifle impaired by hard study, not unusual for one of your years, but their lower lids are slightly granulated." I quickly inquired, "What 's the remedy?" and he answered: "Any one of half a dozen; but probably the easiest you will find is to have Emma [my wife, whom he had known since childhood] place a cup of cold tea, just the kind you drink, on your dresser at home, and in this bathe your eyes every night for a few weeks, and they will be as good as new; and, by the way, you would better stop smoking until after your evening meal during this time." These directions were all followed and restoration was speedy and complete.

We drove around the city every day; Reub talked all the time on every conceivable subject, and to me his talks were not only educational, but always wonderfully interesting. One day he took me to a lunatic asylum, of which he was the general physician and surgeon, and while he was busy with directions to his subordinates, my attention was attracted to a noble, intelligent-looking specimen of physical manhood with a heavy suit of brown hair, clear skin and eyes, large and well-formed, splendid teeth, and apparently about thirty years old, whom I took for an attendant. I was somewhat surprised when this man approached me in a deferential way, said he could not write, and asked me if I would take the time to write for him a short note to his wife and say that he would certainly be home the following Monday. I was in the act of com-

plying with this modest request when Dr. Vance came out and hurriedly said it was high time we were off to meet "that other engagement." So I excused myself to my new-found friend and joined the Doctor. Once in the carriage again, Dr. Vance told me this strange story: That seventy-two years prior to this visit, a young Ohio man left his bride to see a neighbor across the river in an adjoining county, and said to her that he would certainly be home "on next Monday"; that upon his return trip the river was bank full; that the young man attempted to swim across it, when his skull was crushed between two logs; that he was thereby rendered hopelessly insane, had ever since been a harmless lunatic confined in an asylum, and was then past ninety-three years of age! This was my friend back at the asylum. In all the years he had preserved his youthful appearance, but his constant request was for someone to say to the waiting bride: "I will certainly be home next Monday."

During this visit, it was the unvarying custom of the dear, deaf grandmother to carry the three children up to the nursery and to bed at nightfall. Then the window blinds in the library were drawn, the telephone receiver hung down, the doorbell was muffled, and Reub would quietly say: "You have done nobly in your profession, my boy; I think I have done fairly well in mine; and now there is nothing too good for you and me." At his request a trained servant brought in a quart of Benedictine and a box of cigars and the world was ours! At midnight we always went up town to a famous old club-room, and there had either a game or a fish dinner, with La Toure Blanche and more cigars. As I write now, I have a distinct recollection that at four o'clock one morning at his home, old Reub stood at the foot of my bed and both sung, loudly but not too well, that great old soldier song, "Marching through Georgia."

While I was at the home of Dr. Vance in Cleveland once, he had a call to go to a cemetery there and make a post-mortem examination of a lady who had been in her grave for thirty days, and a stranger to him, whose brothers then feared she had died some unnatural death. He refused to go unless "a distinguished physician," who was visiting him from abroad, should go with him; and then a certain local surgeon was to do the actual cutting. His terms being agreed too, we drove out; I as "the distinguished physician from abroad." The local man did all the rough work, and Dr. Vance and I talked, while he was dictating the cutting and never removed his gloves, nor did he seem to pay much attention to the matter in hand in any way. At the close of the examination, Vance broke a little twig from an overhanging tree, with it scraped up and down on the inner lining of the dead woman's stomach for a moment, and then said to me in his apparently careless way: "Arsenical poisoning, administered in ice cream." We drove home. That night the woman's husband left the city. The chemical analysis later revealed the fact that she had died of arsenical poison and the proof at the inquest showed that the night of her death she had taken ice cream with her husband at a city café.

En route East, I spent a day with Vance after the death of his good wife. We never met again. He drove me out into the country and there the day was passed. From the hour of her death he had never once spoken his wife's name to anyone; but he talked to me of Annie and his great loss all day long. He had a private library of over 8,000 volumes, and without reading a book in it as we do, he knew everything that was in each. His wife and I twice arranged these books, but he had no order or system about him, and not many months elapsed before no one else could know where to find any given volume but himself. Just as I was leaving his house to catch the east-

ward train that evening, the Doctor himself answered a telephone call, and I heard him say, "No, I will not go; the call and an operation would be useless; the boy will die." He explained to me on the way to the station that the boy in question had attempted to get into a show, under a circus tent, when an attendant had hit him from above across the throat with a rubber pipe; how that rubber had severed the windpipe and how and why there was absolutely no hope. The following morning, in glancing through a Buffalo paper *en route* East, I saw an account of this accident; how the blow with that rubber pipe had twisted and broken the air-tubes in the throat, filled the lungs, and caused the boy's death at midnight.

How, why, whence came the many marvelous powers of Dr. Vance as an eloquent and impressive speaker, writer, and talker, clear and accurate thinker, matchless physician and surgeon? Spiritualists account for it all upon the theory that, either consciously or unconsciously, he was a medium and knew and did all things because of that; churchmen say he was inspired and that these things all came to him direct from God; science says—but what's the use? since "the sum of all science is—perhaps." To me the great secret is locked up, the key lost, and I only know that within my time and circle there has not been given to the human race a duplicate of Reuben Aleshire Vance.

EUGENE F. WARE, Kansas City, Kansas. In addition to his high standing as one of the foremost lawyers of the West, Ware has written many exceedingly clever things in both prose and poetry, but that which is widest and best known is his volume of verse under the pen-name of "Ironquill." Ever since I have known him, he has had the habit of turning aside from the law, taking his pen in hand, and dashing off a lot of good things as a mere recreation. His profession has brought him

gold and fame galore, but his theory of human life seems not unlike that of an old slave ferryman I knew as a boy in the mountains of Viriginia. Too old for farm work, his master permitted this negro to operate the ferry across Greenbrier River and retain the proceeds; his ferriage was universally "a fip an' a bit, suh" (six and a fourth cents); but one day an impecunious mountaineer came along and urged my old friend to "set him across" free of charge, as he didn't have a cent. The old darkey looked him over, shook his head, and refused, saying: "As you have no money, I don't see as it makes a dam bit of difference which side of the river you is on."

President Roosevelt never did a wiser act than when he appointed Ware as the Commissioner of Pensions, and it was no fault of "Ironquill" that holding down public office didn't suit the complexion of this gifted man, who was cramped in Washington, "an' kep a-honin'" for the wide prairies and gentle breezes of Kansas. While Ware held that office, and Leslie M. Shaw was Secretary of the Treasury and Philander C. Knox Secretary of War, the daily press said the following lines were secretly passed from one to the other of these grave and good statesmen; and, knowing the men, if a row is ever raised about it, I would advise each to enter a plea of "guilty" and save both time and trouble:

"'Go ask papa,' the maiden said.
The young man knew her papa was dead;
He also knew the life he had led;
And he understood her when she said,
'Go ask papa.'—*Ware*.

"The young man went down to see the old chap,
Who was wheeling coke and as black as a Jap.
'Can you support her?' inquired her pap.
'I've held her for hours,' he said, 'on my lap.'
Then her papa fainted away."—*Shaw*.

"The young man returned right up through the cellar,
And found the young lady and started to tell her
About her old pap, and her heart it grew meller,
And she said to the youth, 'You're a hell of a feller.'
And so they were married that day."—*Knox*.

"WATTY" (colored), Fairmont, West Virginia. To my letter of eight years ago now, to Uncle Alfred Meade (heretofore printed), I now add a word and give one incident in the life of another boyhood slave friend of mine, whom I mentioned—"Uncle Watty." I never heard any other name for him, but from my earliest recollection until his death late in the war, I often met this rare specimen of black manhood, for he was owned by a neighbor of my father. To me as a boy, "Uncle Watty" seemed to fill to the limit the old-time song writer's description of "Nicodemus, the Slave," for certainly he was not only "reckoned as part of the salt of the earth," but

"His great heart with kindness was filled to the brim;
He obeyed who was born to command,
And he longed for the dawning which then was so dim—
For that morning which now was at hand."

His powerful physical frame, attributes of body, mind, and soul, loyalty to constituted authority, gentle serenity, yet fearsome wrath when aroused, great common sense, and his always hope for freedom, awed and impressed whites and blacks alike.

While I was acting as our batalion commissary in the summer of 1863, I alighted from an early morning train at the Fairmont station and was walking out the Pike to my aunt Mitty Hoult's, just west of that town, when I overtook "Uncle Watty." He had a fiddle under his arm, which he had played all that night over across the Monongahela River, near Palatine, at a little dance for the darkies at Colonel Haymond's, and he was then past ninety-three. At that time President Lincoln

had promulgated his famous Emancipation Proclamation; but this affected only the slaves in "those States and parts of States" then in "actual rebellion against the United States"; it did not apply to slaves in the territory embraced within the then forming State of West Virginia, nor any other of the border slave States, and it was then the belief of all our people that the Government would in time liberate *all* slaves held in the States not then in open rebellion and follow Lincoln's policy by compensating loyal owners at least for the loss of their slave property. So firm was this conviction that slaves were bought and sold after this talk, and I recall the fact that the last negro slave I ever saw on the auction-block was a black man, past middle age, who was publicly sold in front of the court-house in Clarksburg, West Virginia, the county seat next to my own, in October, 1863, for \$288.

"Uncle Watty's" horse sense enabled him to grasp and understand his exact status under law and proclamation; he knew too that his master was always loyal and that *he* was still a slave. Recognizing the outline of his form, I quickened my pace, overtook and cheerily greeted him, for I was always fond of "Uncle Watty." As we walked along together, our talk naturally turned upon the war and then upon that subject that was always upon his mind—freedom. Finally, with that confidence and want of understanding which the young often exhibit, I asked: "Now, what the devil do you care about freedom, Uncle Watty? I know that your master cheerfully furnishes you all your clothes, you and your family have a good home to live in, nothing to do, plenty to eat and wear, and even a good horse and buggy, and why should you wish to be free?" The old man looked at me, and tears were in his eyes as he answered: "Master Harry, you don't understand, you can't; you was born free and always will be free; but I tell you now that if my old master should say to me to-day,

'Wat, you is free,' I'd jump as high, as your haid, honey." Then he told me that in a dream or vision in the cabin one night a song had come to him on freedom, and this he offered to sing to me. So we two stopped in the middle of that road, and as long as I live I can never foret the way that grand old black man looked to me in the gray of that early summer morning as he sung in full, rich tones the song, in which, as nearly as I now recall them, were these lines:

"Although our skins be black as jet,
Our hair be curled, our noses flat,
Shall we for this no freedom have
Until we find it in the grave;
And never drag the golden chain,
And never enjoy ourselves as men?
When will Jehovah hear our cries,
That we may ever with him rise?"

At the stile leading into Aunt Mit's home we parted at day-dawn, and I do not recollect ever seeing "Uncle Watty" afterward. The freedom for which his great soul yearned he found in the grave about the close of the war; and constitutional, lawful, and unquestioned freedom came to *all* American slaves when the thirteenth amendment to the Federal Constitution was declared adopted on December 18, 1865.

EDWARD LINDSAY WILLIAMS, Washington, D. C. Somewhere there may live a more honest, reliable, trustworthy, faithful black man, but I have never met him. Edward was born a slave, a LINDSAY, in his boyhood was owned by my mother's people over in Virginia, and from there refuged to Washington in the war, where his stepfather added the "Williams." From that lowly condition, by his own personal efforts, he has come up to his present position and, like the level-headed darkey he is, still knows and keeps his place and *works*. If there be anything in his line he cannot do, and do it better

than most men, I have yet to hear about it. His years of freedom have been mainly spent at the hotels of his city in looking after special guests, and in my many visits there I always stop at the house where he is employed, no matter where, and there he has looked after and cared for me since my early manhood. In all these years he has been as respectful and devoted to and fond of me as ever slave was to his master, and this affection is returned, for I was reared among his kind and know and understand them as no stranger can. The old South can alone settle the negro question, for the North knows that subject only from books.

At the time of the big fire at Willard's old hotel at three o'clock on the morning of January 27, 1901, I was asleep in my room there. Edward knew the danger, rushed to my door, and shouted: "The house is on fire! For God's sake, get up, and get out quick!" Not comprehending the situation, and only half awake, I answered: "There is no hurry about this, Edward; you are excited; the walls of my room are not warm yet; but I'll get up." So I arose leisurely, turned on the light, and was just getting into my breeches, when this wild-eyed boy rushed in, yelled, "For God's sake, quick!" and before one could turn around, had all my belongings either in my grip or on his arm. The fire had broken out just across my hallway and I didn't know it, nor could I have escaped alone. With my arms around him, we got into the hall, but escape to our left was impossible, for all in that direction was flame and smoke. So through the blackness of darkness and choking smoke we two stumbled over chairs and hassocks in the parlor to the right, making our way to the F Street entrance. We should both have been as familiar with that house as with our own fingers; but once in that awful smoke Edward stopped short, and, thinking only of saving me and never once of himself, said: "Oh, suh, you is lost; gone shore!" "What is the

trouble, Edward?" I asked. "I don't know where we're at," he said. It was dark as a dungeon, and while I knew no more about it than he did, yet in a reassuring voice I said: "Go on, my boy; we will yet come out somewhere all right." When at last we emerged under the electric light on the F Street front, the first thing I recall was his black head, and a Greek god in ebony never looked so good to me. Just then my bare feet struck the ice and the snow, for the mercury was low and at that moment my clothing scanty. I now recall a convulsive rigor and then all was dark. Just how he got me across the wide street and into the Ebbitt House I don't recollect, but the first thing I knew, Edward had gotten me into my overcoat and was putting on my shoes. Of my appearance at that hotel a nimble-fingered but gracious newspaper man printed: "He stalked in, clothed in nightshirt, breeches, and dazed dignity." Scores of old friends called to congratulate me on my escape, when in fact the credit was Edward's; but my recovery from the shock seemed slow. One night in my room I heard some lady, who was blessed with a voice, round, full, and sweet, singing songs of the war. I wrote and sent her this message by Edward: "Will the sweet singer whose voice has just now moved a sick old soldier to tears, kindly sing for him the 'Star-Spangled Banner'?" She paused to read the request, and then, to my joy, the house was filled with the melody of that grand old national air. Still ill, my medicine-man looked wise and gave elaborate directions as to what I must and must not eat, and finally Edward loaded me into a sleeper and started me homeward over the C. & O. I tried it, but couldn't count ten to save me. The first connected thought to filter through my brain was the motto for a thousand years back of my Scottish clan, "*Vincere vel mori*"—liberally translated, "We conquer or die." Then calling the porter, up about Staunton, I had him take me into the diner. Here I ordered and absorbed every-

thing on the menu from soup to toothpicks, went to bed, and slept until ten o'clock the next morning. My recovery thereafter was rapid.

In 1907 and the early part of 1908, much of my time was spent at the Riggs House in Washington on an Osage Indian case involving over a million and a half of dollars, and, of course, Edward was always with me. Because I was there alone and had to win, for the all of my clients hung on the issue, I worked earlier and later than was good for me. Often Edward begged, coaxed, and even threatened that if I didn't stop work and go to bed, he would leave me to my fate; and one morning at about two o'clock I recall now that he said: "No livin' man can stand it, suh; why, pore as I am, you couldn't get me to wuk like that for all the money of all the Indians; no suhee, not for all the dollars across the street there in the Treasury." Of course I promised, but said: "Edward, the exact truth is, you would not leave me now for all the money of earth." The poor boy turned his head aside, his chin quivered, he was crying! He thought I was committing certain suicide, and he came near being right, for on February 12, 1908, came my breakdown from that work; but I *won*. In the drawing-room of a Pullman sleeper, Edward then brought me home, and day and night remained in my room here and nursed and looked after me for over two weeks; and when not watching my every symptom like a hawk, that boy was up in his room on the third floor praying for my recovery. Then the wide differences between youth and age came into evidence; I no longer sprang back into place; recovery was long coming. But the climatic conditions found in Oklahoma, in the Ozark Mountains of Missouri, and down in New Mexico afforded relief; and when Washington was at last revisited in December, and again in this year, Edward's joy knew no bounds, for he saw his life-long friend was again himself.

THOMAS ADAMS WITTEN, Kansas City, Missouri: Born at the little town of Beckley, Raleigh County, West Virginia, already made famous as the birthplace of "Ben Bolt" and "The Blue Alsatian Mountains," the earliest recollections of our Tom were enlivened by the less poetic rattle of musketry, for the big war was on, his father was a surgeon in the Confederate Army and there was much marching, and fighting too, in the '60's, all about that town, by both Federal and Confederate troops.

Just where or how this clear-headed man became a scholar and a lawyer are not now so material as are the facts that he is to-day recognized as being in the front rank in both scholarship and legal ability. For awhile he was the head of the State Normal School at Huntington, West Virginia, as a teacher, and commenced the practice of law at Trenton, Missouri, but for a quarter of a century now has hammered law and fact into courts and juries here at Kansas City with masterful clearness, skill, earnestness, and success.

In the meantime he has read much good stuff and thought a lot; has written many widely read monographs, the best of which, in my judgment, were his paper read before the Missouri Bar Association on "The Public Health" and his "Munkacsy's Christ on Calvary" before our Greenwood Club in 1900. At rare intervals he has set his eye on a seat on the bench or in the halls of Congress in times past; but not for long, and is now trying hard to live it down. Those who like to have him around, and that means everybody who knows him, try to keep him in the law line and have hopes of winning out; but despite them and his own better judgment, every now and then he will break into the political game or browse around in the literary field, because his fancy turns that way.

In July, 1899, I submitted his case to Elbert Hubbard in a letter, true as gospel in all things, in this way: "Our mutual

friend, Tom Witten, as you know, sometimes mixes his law and poetry and literature in a most diabolical fashion, and in his own royal way came out to my house on Beacon Hill the other evening with a party of ladies. He at once proceeded to smoke my cigars, sing my old songs, and drink my old whisky, and then, while the ladies were at the piano singing—for they can sing, while Tom and I simply howl—in hot blood sat down and on the spur of the inspirational moment reeled off the following, dedicated as a toast to myself:

‘TO THE SAGE OF BEACON HILL: A TOAST.

‘Here ’s to the Sage of Beacon Hill!
Here ’s to his music and here ’s to his quill!
For he writes like an angel, sings like a bird,
And tells the best stories Bohemia has heard.
Here ’s to his pipe and here ’s to his mug,
And here ’s to the Bourbon that flows from his jug!’

Now, to your superior judgment in matters of such grave concern, I submit this proposition: What should be the penalty—death, banishment or denial of his right to the contents of that jug?”

Fra Elbertus at once answered, suggesting that I send Tom “on here to East Aurora for a few months and we will have him help Ali Baba.” This in my reply I promised to do as soon as the weather permitted, and added: “Fur Kri saik, deal gently with Tom. He is worth saving.”

Witten’s subsequent marriage, his travels in this country and in Europe since, together with his recognized ability as student, thinker, and lawyer, have of late kept him reasonably busy; but occasionally he still breaks forth in verse or book.

Appendix.

Yielding again to importunities which I have never learned to resist, I here reprint a few of the many things I have said in the past:

SLAVERY, EGYPTIAN AND AMERICAN, A COMPARISON; MOSES
AND LINCOLN, A PARALLEL.

[Reprint from *Western Veteran*, February, 1897.]

A Tribute to Lincoln's Memory.

Judge H. C. McDougal delivered an address of exceptional interest at the celebration of the eighty-eighth anniversary of the birth of Abraham Lincoln, held in Strobe's Hall, corner of Ninth and Wyandotte streets, Kansas City, Mo., Friday night, February 12, 1897. Judge McDougal treated Lincoln from a new standpoint in many ways. He compared Egyptian and American slavery, and was particularly interesting as considering Moses the prototype of the great Emancipator. The address is given in full below:

Mr. Chairman, Comrades, and Friends:

I am glad to see present to-night, honoring the day we celebrate, so many ladies. Every soldier recalls the fact that the love of mother, sister, wife, or sweetheart was the highest incentive to duty to country and flag, in field and on the march,

and that their memory was such an inspiration as caused the weary, flagging step to quicken and the pulse to beat faster; and so it seems good to have them with us again to-night.

I am glad, too, to see so many representative colored men here; for if there be one day in the year when the colored people of America should cease from their labor and devote the entire day to actual thanksgiving and actual prayer, that day is the birthday of Abraham Lincoln.

It is pleasant also to see among the audience a goodly number of old Confederate soldiers. This is an object-lesson in patriotism. It shows to the world what soldiers have known for a generation—namely, that with soldiers the war closed at Appomatox and that since that day there has been peace between the Blue and Gray. Politicians alone have kept up sectional strife. Soldiers of both armies have echoed and re-echoed the immortal sentiment, "Let us have peace." I want to say to you ex-Confederates that if the king of terrors and his hosts should take form and shape so that soldiers might meet him in open field and strive for the mastery, then that the old Union soldiers of Missouri would join the old Confederates, touch elbows and keep step with them and march down south of this city and do battle with the hosts of death, rescue from the valley of the shadow of death, where he is now making his last fight, and restore to family, friends, and country that gallant, chivalric, courageous, and courteous gentleman and soldier of the old school—glorious old Jo Shelby. Our prayers go up with yours, and we earnestly hope, as you do, that your old commander may yet be rescued from the jaws of death.

I am not here, however, to discuss either of these three interesting subjects, but to direct your thought to a comparison between Egyptian and American slavery and point out the parallel in the lives of Moses and Lincoln. The scene which

relates to Egyptian slavery opens nearly two thousand years before Christ.

Pharaoh had made Joseph ruler over all the land of Egypt; they had there passed through their seven years of plenty and were in their seven years of famine, "and the famine was over all the face of the earth"; Jacob's other sons had been down into Egypt and bought corn of Joseph—when, at the invitation of Pharaoh, conveyed through Joseph, Jacob and his family went down to the land of Goshen in Egypt, "and all the souls of the house of Jacob, which came into Egypt, were three score and ten."

All went well until after the death of Jacob and of Joseph; "the children of Israel were fruitful and increased abundantly and multiplied and waxed exceeding mighty; and the land was filled with them. Now there arose up a new king over Egypt, which knew not Joseph." This "new king" at once commenced and vigorously prosecuted systematic efforts to oppress and decrease the numbers and powers of the Israelites, and their condition soon became nothing short of abject slavery. "And they made their lives bitter with hard bondage, in mortar and in brick, and in all manner of service in the field; all their service, wherein they were made to serve, was with rigor." This oppression continued up to the time of Moses.

"Now the sojourning of the children of Israel, who dwelt in Egypt, was four hundred and thirty years." The exact date of their exodus is uncertain, but it is probable that it began about fifteen hundred years before Christ. Notwithstanding Egyptian oppression, the Israelites became "as the stars of heaven for multitude," for the seventy who originally went there had increased to "about six hundred thousand on foot that were men, besides children," at the time Moses led them over into the wilderness. The first census taken in the wilderness shows that "from twenty years old and upwards, all

that were able to go forth to war in Israel * * were six hundred thousand and three thousand and five hundred and fifty." This did not include the Levites, who had charge of the Tabernacle, and whose numbers aggregated over twenty-two thousand males above one year old; nor did it include the women. With all included, there must have been over two millions of the children of Israel that followed their great leader out of Egypt and into the wilderness. There "they did eat manna forty years, * * * until they came to the borders of the land of Canaan." Yet Moses says to them: "Thy raiment waxed not old upon thee, neither did thy foot swell these forty years."

But after centuries of slavery, and after their long sojourn of forty years in the wilderness, the children of Israel finally dwelt in safety in the promised land—the land flowing with milk and honey. Not so with their great leader: meek, humble, "slow of speech and of a slow tongue" he was, yet to me, "take him for all in all," Moses stands out as the most richly endowed intellectual giant in all history, sacred and profane. The characters of Julius Cæsar and of Napoleon Bonaparte and of Ulysses S. Grant challenge one's highest admiration; my own admiration, veneration, and love for the characters of Washington and Lincoln are boundless, yet to me it seems that there has not been so many-sided a man as Moses: a law-giver, a poet, a physician, a magician, a statesman; a man of rare wisdom, sublime imagination, vast learning, splendid courage and sagacity; a leader of men, who knew how to control and play upon the hearts of his people, and who was marvelously successful in his management of his two millions of unruly, ignorant, vicious, and superstitious ex-slaves—the world has never seen his like. Faithful in all things, the crowning glory of success was his. Yet he was not permitted to enter into the promised land, nor see nor feel nor taste the sweet fruit of his magnificent leadership of more than forty

years. In the hour of his triumph he went up into the "mountain of Nebo, to the top of Pisgah"; there the Lord shewed him all the land of Canaan—valley and plain, mountain and palm tree, even unto the utmost sea—and there, alone with God and the mountain, and pointing out all the promised land, the Lord whom he had always obeyed thus said unto Moses: "I have caused thee to see it with thine eyes, but thou shalt not go over thither." "So Moses, the servant of the Lord, died there in the land of Moab, according to the word of the Lord. And he buried him in a valley in the land of Moab over against Bethpeor, but no man knoweth of his sepulchre unto this day."

"And had he not high honor?
The hillside for his pall,
To lie in state while angels wait,
With stars for tapers tall;
And the dark rock pines, like tossing plumes,
Over his bier to wave;
And God's own hand, in that lonely land,
To lay him in the grave."

"And Moses was an hundred and twenty years old when he died; his eye was not dim, nor his natural force abated. * * * And there arose not a prophet since in Israel like unto Moses, whom the Lord knew face to face."

I know not in all history a death and burial so pathetic as this, and to me there has been the death of but one great and heroic leader that equals in pathos the death of Moses.

EGYPTIAN AND AMERICAN SLAVERY COMPARED.

In 1619 a Dutch ship landed at Jamestown, in Virginia, twenty negro slaves. This was the beginning of negro slavery

on American soil. Other importations followed, and the slave trade soon became more profitable than any other. This trade was prohibited by law as early as 1808, and in 1820 Congress enacted a law declaring it piracy; but so enormous were the profits that the importation of negro slaves did not cease until the outbreak of our Civil War, and under this act of Congress there was never but a single conviction and execution—that of Gordon in November, 1861.

The American slave-owner did not demand that his slaves make "bricks without straw"; nor yet that among them the man-child be killed at his birth, as did his predecessor, the Egyptian taskmaster; but, on the contrary, self-interest, if not sentiment, led, in the main, to the fair and humane treatment of American slaves, so that their condition was infinitely above and far better, and their tasks and burdens less galling, than those of the slaves of Egypt. Still, America held her bondmen as had Egypt, and her slaves longed for freedom as did the Israelites of old.

Like their predecessors of that far-away period, American slaves, by importation and by natural increase, "multiplied and waxed very mighty" in numbers; for, in the two hundred and thirty-six years which intervened between 1619 and 1865, their numbers had increased from the twenty landed at Jamestown to more than four millions.

But at last, in the fullness of time and providence of God, the hour was at hand when the bondmen in that rich land watered by the Nile should be free, as afterwards it came when the bondmen in that richer land watered by the Mississippi should be free. For the deliverance of the one, the Lord God—the beginning and the end of human justice—raised up Moses. For the deliverance of the other, the same God, three thousand years later, raised up Abraham Lincoln.

It is true that in liberating America's bondmen our Southland was sorely scourged. Hundreds of thousands of her bravest and best sons gave up their lives for a cause which from infancy they had been taught to believe, and did believe, was right. Thousands of her homes went to ashes in the red fires of war; yet the scourges of the South were as nothing in comparison with those of old Egypt. For there, before Pharaoh would consent that the bond should go free, the Lord turned into blood all the waters of Egypt; was compelled to, and did, send the plagues of frogs, of lice, of flies, and of murrain of beasts, and of boils and blains, of hail, locusts, and darkness; and finally caused to be slain, throughout all the land, the first-born of both man and beast so that "there was a great cry in Egypt, for there was not a house where there was not one dead." More than this, when the bondmen of Egypt were on their way to the promised land, they were pursued by Pharaoh and his hosts; Moses parted the waters, he and his followers passed over dry shod; but when the Egyptians got well into the sea, "the waters returned, and covered their chariots and their horsemen and all the host of Pharaoh that came into the sea after them; and there remained not so much as one of them, * * * and Israel saw the Egyptians dead upon the sea-shore."

Our Southland, thank heaven, neither saw nor felt any of these scourges, nor was the remnant of that gallant band of American soldiers that forever grounded arms and furled flag at Appomatox swallowed up and lost in a waste of waters. Nor were American slaves, after their liberation, forced to wander in a wilderness for forty long, dreary years; nor had they cause to murmur and weep and say, as did the bondmen of Egypt, "Who shall give us flesh to eat? We remember the fish, which we did eat in Egypt freely: the cucumbers, and the

melons, and the leeks, and the onions, and the garlic; but now our soul is dried away."

On the contrary, the Southland soldier returned in peace to his home, taking his horses—"they will need them for the spring plowing," said our great-hearted Grant. The American slave, too, remained in the rich Egypt in which he was born—the soft, sensuous, flower-laden, melon-producing land of Dixie—where, at first in the service of his old master, and later for himself, he continued to hoe the cotton, the corn, and the cane, until raised to the full dignity of American citizenship in the land of his birth. There most of them remain, even unto this day. Loyal to old master and old "missus" in the chains of slavery and in freedom, in war and in peace,—for be it remembered to their everlasting honor, that no negro slave of America ever betrayed the trust or offered personal violence to master or mistress—to me, born and reared among them as I was, they will ever be remembered as the kindest and the most faithful of the creatures of God. In peace and harmony they dwell to-day among those who but a third of a century ago owned their bodies—held them as mere chattels.

LINCOLN THE LIBERATOR.

To whom are the American slaves of a generation ago indebted for their freedom? First, to that tenderest, ablest, and best of American statesmen—Abraham Lincoln; next, to the great commanders—Grant, Sherman, Sheridan, Thomas, Logan, and Blair, and a host of other officers; but most of all to the boys who wore the blue—who went down into their land of Egypt to save the Union; who for four long years, through summer's heat and winter's snow, over mountain and plain, through cotton-field and cane-brake, followed the flag and fought for the right. The bones of a majority of these boys of a third of a century ago are now mouldering back to

dust again in the land they saved—"theirs the cross, ours the crown." Remember that under Lincoln these boys had their "wilderness"; that when they returned to "God's country" they not only brought back America's Ark of the Covenant, the Constitution, with every line and word in its old place and in full force and effect; from that "abomination of desolation," the chaos of secession, rescued and brought back with them every one of the eleven stars that had fallen from the field of blue in their country's flag and restored each star to its old place, where, firm as a fixed star in heaven, each again glittered to the name of a redeemed and restored State in the American Union; but brought back with them and proudly threw upon the altar of their beloved country the shackles of four millions of human beings.

When that grand old army that had saved the Union and liberated America's bondmen, "like a grand, majestic sea," swept up from the Southland and through the nation's capital on that memorable review of May, 1865, beneath each blouse of blue beat a heart filled with conflicting emotions of joy and sorrow: Joy because the Union was saved, the flow of American blood had ceased, the slaves were free, and "home, sweet home" was near at hand; sorrow because of comrades who slept the sleep that knows no waking in that soft clime beneath Southern skies, and sorrow that the hour of parting with companions in arms had come. Within every heart, too, was a feeling of profound respect for the courage and valor of those who had fought so long and so well for "the lost cause." On an hundred battle-fields the boys in gray had demonstrated the highest qualities of American soldiers, to meet and defeat whom had been both honorable and glorious. Four years before, to the sound of bugle, fife, and drum, in uniforms bright, with plumes and banners flying, and hearts beating with hope and courage high, the boys in gray had proudly marched away

from homes filled with music and song and perfume of flowers; now, in the unutterable sadness, sorrow, and humiliation of defeat, they were tramping their weary way back to those homes in the land of pine and palm tree, cotton and cane, where the plantation song of the darky and the tumming of the old banjo now were hushed and the mournful note of the whip-poor-will and the sad, sweet tones of the mocking-bird made the only music, and even this to them sounded like the Dead March in Saul. What now to them were the voices of singing men and of singing women and of singing birds, for the ringing voices of Jeb Stuart, Albert Sidney Johnston, and Stonewall Jackson were hushed in death; nevermore would they hear the grave, dignified command of their great chieftain, Robert E. Lee; the cause for which they had endured so much was lost. For them the days went by "like a shadow o'er the heart," and what lay before them under the new order of things no man dared to guess. The boys who in that grand review still kept step to the majestic music of the Union thought of all this—the generous Blue forgave the errors of, and felt pity for the vanquished Gray—he was a foe no longer, but an American citizen and in the land of his fathers.

But above all, in that grand review every eye was filled with unshed tears, every heart bowed down, because of the untimely death of him to whose call they had responded: "We're coming, Father Abraham, three hundred thousand more." Lincoln was not there to receive and welcome and review the conquering heroes whose every movement by day and by night, with a father's loving tenderness, he had so anxiously watched for four long years.

As the bondmen of Egypt after their liberation often needed the wise head and generous heart of Moses, so the bondmen of America sorely needed the wise head and great heart of their Emancipator; the boys in blue and the boys in

gray, for their protection against the wiles of scheming politicians North and South, also needed Lincoln; yet this boon was denied them; for the one man who could and no doubt would have proven a blessing and a benediction to bondmen, Blue and Gray alike, had been called to his reward. And as in the olden time "the children of Israel wept for Moses in the land of Moab," so the newly made freedmen, as well as the soldiers of both armies, mourned and wept for Lincoln.

MOSES AND LINCOLN—THE PARALLEL.

Some of those who should have been most loyal, earnest, and zealous in their support of Moses often murmured, complained, and even revolted against the great Law-giver. So with Lincoln. "In that fierce light which beats upon a throne," the central figure of the war—the strongest and the noblest man whose shadow the sweet sunshine of heaven ever cast upon Mother Earth—stood amid a shower of envious shafts, heard the cruel criticism and the curses of enemies North and South, at home and abroad, yet through it all remained he, like a god of old, calm, unmoved, and immovable.

"I saw a pine in Italy
That cast its shadow athwart a cataract.
The pine stood firm,
The cataract shook the shadow."

Our war was a mighty cataract poured out of heaven in answer to the human cry for justice and freedom, its waters crimsoned with a nation's blood of atonement; the colossal shadow of Lincoln was cast athwart its every part; in public opinion he sometimes seemed to waver, yet now we know that however vacillating others, through all its four years of appalling seethe and roar and crash, Lincoln himself swerved neither

to the right nor the left, but, like the poet's pine, always stood firm. He knew what he was doing and why. His enemies did not know, could not understand. The only American who, upon the instant, comprehended every proposition relating to war and freedom, he was long reviled for his silence and inaction; yet when, at the right moment, through his immortal Emancipation Proclamation, he did speak, the world heard; and no words spoken in all history have proven so potential for good, or have so calmed the waters of discontent, since upon the troubled Sea of Galilee the Master stood forth and said: "Peace, be still." Peace, the redeemed and restored Union and the freedom of American bondmen were from that moment assured. Then, and not till then, did the world fully realize that at the helm of our ship of state, rocked and tossed as it was upon the crimson sea of civil war, there stood an earnest, sad-faced man, in leadership the peer of Moses and in goodness and mercy and justice almost the equal of Jesus of Nazareth.

Like Moses, Lincoln was permitted to view the promised land. Lee had surrendered, the war was nearing its close; with his prophetic eye he saw in the near future the old flag floating free from sea to sea; saw the Union saved and restored; saw the shackles of every American slave lying broken at his feet; but the splendid army of Johnston and the army of the Southwest were still in the field; "the bonny blue flag" was still borne aloft, and still in defiance kissed soft, balmy breezes under Southern skies. Hence, like Moses, Lincoln was not permitted to set foot in that land of perfect freedom for which his sad soul yearned. For each it was only a little way off—just across the river—the Jordan for Moses and the Potomac for Lincoln; yet the hand of God touched the one, the hand of a madman the other, and the two great Emancipators stood face to face in the presence of the God of Abra-

ham, Isaac, and Jacob—the same God that looked down with pity upon bondmen of the Nile and the Mississippi and said: “They shall be free.”

As under that high resolve, with Moses for leader and “the pillar of cloud by day and the pillar of fire by night” for guide, the bondmen of Egypt at last emerged from their darkness into the light of freedom; so with Lincoln for leader and the starry banner of the Union for guide, the long night of slavery at last gave way to freedom’s light, and, bewildered with joyous wonder, the bondmen of America, in the land where they had been but things, stood upon their feet as men.

Moses was born of obscure parentage and in poverty; so was Lincoln. Yet, in his own country and among his own people, each attained the highest station, stood alone upon the very dome of dread Fame’s temple, a most unselfish, unconscious, and unambitious giant, without a rival and without a peer

When Moses died, “his eye was not dim, nor his natural force abated,” and the same was true of Lincoln. From the standpoint of the human, each seems to have been called when most needed—when on the very threshold of a new, useful, and even a more glorious career. Yet who knows?

Another strikingly suggestive parallel, true alike in the land of Canaan and in America, in Holy Writ finds expression in these words: “And there arose not a prophet since in Israel like unto Moses.”

“The death of Moses was pathetic; that of Lincoln, tragic; and yet there was an indescribable pathos in the death of Lincoln that is closely associated with that of the death of his great prototype: In sight of the promised land, yet not permitted to enter.

How different their burials! With his own hands and all alone, God himself buried Moses “in a valley in the land

of Moab, over against Bethpeor; but no man knoweth of his sepulchre unto this day." Not so with Lincoln: A grateful nation of freemen, all in tears, tenderly bore his body from the Capital to his old home on the broad prairies of Illinois, and with loving hands there laid away the tall form of that plain, sad, unassuming patriot, who in saving the Union brought freedom to America's bondmen. There he rests in the majesty of eternal repose. His works and his example live. And while time lasts, lovers of liberty and freedom and justice from every land and clime, aye, even nations and peoples yet unborn, will make pilgrimages to that tomb, and standing there with uncovered heads, with thoughts too deep for either words or tears, will silently and reverently return thanks to the God of bond and free for his gift of Abraham Lincoln.

LOOKING BACKWARD—YULETIDE, 1902.

[A Purely Personal Question—No Answer.]

Looking backward, on this Christmas eve, 1902, over fifty-eight years of a life blending all classes of human experience—sunshine and shadow, joy and sorrow, success and failure, hope and despair, health and sickness, life and death, calm and storm, peace and war, victory and defeat, laughter and tears, song and sob—I see to-night that my life has been made up of strange inconsistencies—sometimes the reckless, rollicking, happy-go-lucky, devil-may-care vagabond—sometimes the dignified, thoughtful, useful, and courteous gentleman—a pagan and an agnostic there, deeply religious here—a student, thinker, and worker there, an idle, dreaming loafer here—farmer, soldier, lawyer, judge there, plain citizen here—fighting there, yielding here—sighing there, smiling here—talking there, silent here—winning there, losing here—wise there, foolish here—doing good to a friend there, cursing an enemy here—touch-

ing by times the heights and the depths of human life, glad here, and there—never wholly good nor bad—floating on the surface of occasion and trusting to the sublimity of luck there, manfully and earnestly battling with the realities of life and fate and attaining that which the world calls success, honor, and even glory here—bearing defeat as becomes a man there, not too joyous over success here—blest with the love and tenderness and thoughtful kindness and devotion of wife, children, and friends there, encountering, yet ignoring, the scorn of others here—loved of women and respected of men there, hated by the parvenu, Pharisee, and snob here—cherishing that which is good there, despising, yet doing, that which is bad here—all things to all men there, known to and understood by few here—in the Valley of the Shadow of Death there, on the mountain-top of health and strength and vigor here—the best I can now see in it all is that in all these years I have scattered rays of sunshine whenever and wherever I could, and have never knowingly wronged one single human being. Thus have I lived, moved, and had my being among my fellows on this earth for more than half a century.

The questions now are: Has it all paid? Is such a life worth the living?

When I quit last night—for it is now Christmas morning—and attempted to formulate my answer to these questions, they would not come. So they remain now unanswered.

And now it is 4 P. M. on Saturday, December 27, 1902, and the answers to these questions have not yet come to me. Maybe they will not come until I shall rest beneath the shade on the other side of the River.

True, I might answer either or both of these questions with a simple "Yes" or "No," or I might go into details and

attempt to give reason for the faith that is in me—if any I have—upon either the one theory or the other; but upon mature reflection I am now constrained to believe that the game is not worth the candle.

In a book or paper called “At the Article of Death” the author, whoever he or she may have been, says of some one, but whom I do not now recall, something like this: “He passed his days with the thought of his own end fixed like a bull’s-eye on the target of his meditations.” Now this sort of thing, if I know what it all means—which is in doubt—has been the least of my trouble, for I have never seriously meditated on my own end, nor when it will come, nor how, nor where; nor yet upon what is to become of the alleged immortal part of me, nor how nor where the cold clay shall be laid away. WHAT’S THE USE?

While I have lived my own life in my own way, yet I have always had before me the theory—and have practiced it in my way—that it is the duty of the human to “love all, trust a few, do wrong to none.” And so this evening, when the year 1902 is nearing its close—the year that has brought me so near the land where our dreams come true that I could almost see the flowers, the grasses, the palms that grow in endless spring there—and when returning health and strength and vigor give me reasons to believe that I am back on this earth to remain for many a long year, I feel that I may well hope that when the end does come—be it sooner or later—I shall have so lived that friends will look down on my cold, dead, dumb face and say of me as friends said of John McElrod:

“Here lies poor Johnny McElrod.
Have mercy on him, gracious God,
As he would you if *he* were God
And you were Johnny McElrod.”

To me it seems that this sentiment of broad charity is good enough for the epitaph of any man who has loved his fellows. And so, with love all around, I say good-night, but not good-bye, to all.

JOHN ADAMS LEOPARD, LAWYER—MEMORIAL ADDRESS, 1906.

Delivered before the Missouri Bar Association.

[Reprint from 24 Mo. Bar Ass'n Report, p. 188.]

Mr. President:

The young Missouri lawyer of to-day, in his elegantly appointed office, with his splendid library, his clerks, stenographers, printed records, briefs, etc., has heard or read that away back in the early history of the State there was a time when all these aids to the successful practice of the profession were absolutely unknown; and can neither understand nor appreciate how the early-day lawyer with a few text-books in his saddle-bags, "riding the circuit" from county to county with the Judge, writing out in longhand all his own pleadings, instructions, and bills of exceptions, to say nothing of contracts, bonds, deeds, and mortgages, could try and argue causes with either intelligence, skill, ability, or success.

His law office was generally a single room on the ground floor, located not far from the court-house; his law student or junior partner carried in the wood and water and swept out; neither carpet nor rug ever desecrated the floor; the office was heated from an open fireplace or a box stove, and there was always in evidence, as well as use, the spit-box filled with sawdust; while the remaining contents of his office were not unlike the library and furniture of a great Illinois lawyer of that period, who in giving in his assessment list is said (quoting from memory) to have written with his own hand the following description of his office property:

"1 set book-shelves and law-books, worth, say.....	\$12.50
1 set pigeonholes, worth, say.....	1.00
1 table, slightly damaged, worth, say.....	2.50
1 stove, one hinge off, two legs ditto, worth, say..	1.50
2 chairs—bottom out of one, worth, say.....	1.00
1 stool, one leg gone, worth, say.....	.25

Total \$17.50

"There is also a rat-hole in the corner. This last will bear looking into."

That pioneer lawyer of Illinois was Abraham Lincoln.

Except for a railroad, five miles long, running from Richmond in Ray County down to the Missouri River opposite Lexington, with sawed oak rails, hewed oak cross-ties and operated by horse-power, there was not, until late in the year 1852, a single mile of railroad, nor a telegraph line in Missouri; bridges and ferries were few and far between and State roads rare; the lawyer then always "rode the circuit" on horseback over prairie trails, through unconquered forests, stopping overnight in the humble cabin of the settler; was often compelled to swim rivers and creeks in order to be present at the "opening of court" in the next county, and was always obliged to make his trips to and from the Supreme Court at Jefferson City on horseback or steamboat, because these were then the only means of travel. With these historical facts in mind, the lawyer of the present wonders how his early-day predecessor could endure the hardships of "practice on the circuit" or find profit or pleasure in it.

Yet the pioneer lawyer loved and enjoyed the life he lived; gloried in the power and influence of his profession; and was never so happy as when, either on the road or in the court-room by day or at the tavern by night, he was in the thick of the fight with his brethren of the Bar.

He was past master in the science of pleading—which my Lord Coke happily characterized as “the heartstring of the common law”; an adept in the rules of evidence, of practice and of equity; pre-eminent in the ability to think on his feet, and from the ancient and honored principles of the common law reasoned with a logical force, power, and skill that is absolutely unknown to the “case” and “precedent” lawyer of to-day. The question then was: What legal principle controls? Now it is: Have you a case in point? The hope and aspiration of the lawyer then was professional fame, honor; now it is *money—commercialism*. These facts are here recalled neither to glorify the lawyer of the past, nor to disparage the lawyer of the present; but rather to emphasize a few of the many marked changes in the practice, wrought by the onward march of the past half-century.

The lawyer of that far-away day not only was and did all the things mentioned, but, like a patriot-soldier, standing for the enforcement of law and order on the firing-line of our Western civilization, he was the most powerful factor in moulding, guiding, and controlling public thought and action in morals and politics, as well as in law and religion.

“There were giants in the earth in those days,” at the Missouri Bar; men who knew Coke upon Littleton, Blackstone and Kent, Chitty and Starkie, from lid to lid; and among our many accomplished lawyers of to-day, there are few, if any, who more clearly or ably present questions of law, or make to court or jury more convincing arguments on law or fact, than did the early lawyers of this State.

From the fact that in the thirty-one years which intervened from the organization of the State in 1821 to 1852, but fourteen volumes of Missouri Reports were issued, it is ap-

parent that the finding of court or jury then ended the great majority of cases; that appeals and writs of error were few; and from a glance through our early reports it seems probable that more cases went to the Supreme Court from St. Louis than from all other parts of the State. In 1852, Gamble, Scott, and Ryland were on the Bench; no rule then, or for many years thereafter, required printed records or briefs; these were seldom seen, arguments were oral, and the opinions, delivered in the proper handwriting of the judges, were models of legal learning, logic, and brevity, in comparison with which the loosely dictated, long drawn out, principle-ignoring, and pleading, proof, and precedent-padded opinions of to-day suggest tears of regret for judicial glory departed. For the elaborate, yet obscure and illogical dissertations of the present, vast libraries and expert stenographers may share the blame with the overcrowded docket, yet certain it is that a return to the short, clear, concise opinions of half a century ago would be a godsend to Bench, Bar, and people.

Among the leaders of the Bar of North Missouri fifty-four years ago (and I confine myself to those who then lived north of the Missouri River, for the reason that the then leaders south of the river will be named by brother William Aull, of Lexington, in his address upon the Rylands) were such able, earnest, learned, and distinguished lawyers as Prince L. Hudgins, of Andrew County; Charles H. Hardin, of Audrain; John M. Gordon, Odon Guitar, and James S. Rollins, of Boone; Jonathan M. Bassett, James Craig, James B. Gardenhire, Willard P. Hall, Sr., Ben Loan, Robert M. Stewart, Henry M. Vories, and Silas Woodson, of Buchanan; Charles J. Hughes, of Caldwell; Joseph K. Sheley, and Thomas Ansell, of Callaway; Robert D. Ray, of Carroll; Casper W. Bell,

John Chappell Crawley, Andy S. Harris, and Benjamin F. Stringfellow, of Chariton; Noah F. Givens, of Clark; Alexander W. Doniphan, James H. Moss, and Henry L. Routt, of Clay; David R. Atchison, James H. Birch, and Bela M. Hughes, of Clinton; James McFerran and Samuel A. Richardson, of Daviess; George W. Lewis, of Gentry; John C. Griffin, Stephen Peery, John H. Shanklin, and Jacob T. Tindall, of Grundy; Wm. G. Lewis, of Harrison; John B. Clark, Jo Davis, John W. Henry, Abiel Leonard, Robert T. Prewitt, and Thomas Shackelford, of Howard; James Ellison, Sr., James S. Greene, James J. Lindley, and David Wagner, of Lewis; James A. Clark and Jacob Smith, of Linn; Luther T. Collier, William C. Samuel, and William Y. Slack, of Livingston; Thomas L. Anderson, John D. S. Dryden, William P. Harrison, Alfred W. Lamb, Gilchrist Porter, and John T. Redd, of Marion; Abner Gilstrap, of Macon; James O. Broadhead, Thomas J. C. Fagg, and John B. Henderson, of Pike; James H. Baldwin, James N. Burnes, Joseph E. Merryman, Elijah Hise Norton, Amos Reese, and John Wilson, of Platte; George H. Burckhardt and William A. Hall, of Randolph; Aaron H. Conrow, George W. Dunn, Ephraim B. Ewing, Christopher T. Garner, Austin A. King, and Mordecai Oliver, of Ray; and Wesley Halliburton, Robert B. Morrison, and Marshall B. Witter, of Sullivan County.

Save and except Guitar of Boone, Crawley of Chariton, Collier and Samuel of Livingston, Fagg and Henderson of Pike, Norton of Platte, and Shackelford of Howard, all of these have passed away—some of them many, many years ago. Their names are and will be preserved in our reports of the great cases of their time; their personal characteristics

and achievements are still sweet in the memory of a few of the older members of the Bar; but their glory, grown obscure in the mysterious flight of the years, is now fading away like morning mists from the mountain top. Yet from the personal reminiscences of these great ones, a gifted writer could produce a volume that in intense interest would rival the famous legal classic, "Flush Times of Alabama and Mississippi." What a theme for a present-day Baldwin!

In the spring of 1852 a graceful and accomplished youth of twenty-four appeared among this galaxy of lawyers, unheralded, and entered the lists. Gallant as a knight of old, a Chesterfield in deportment and civility, the lawyers already in the field found in this brilliant young stranger a foeman worthy of their steel, for in the twenty years he "rode the circuit" with them he proved himself the peer of the strongest and the best.

His name was John Adams Leopard. A Virginian by birth, a graduate of Princeton, he had read law in the office of Judge Fred A. Schley, at Frederick, Maryland; had for two years been a member of the Bar and practiced in the courts of that State, and was even then a well-equipped lawyer; a gentleman by blood, instinct, and habit; genial and gentle, brave and chivalric, of superb finish and scholarship, and endowed with rare powers as an eloquent, persuasive speaker before courts, juries, and people. He at once opened an office at Gallatin in Daviess County, practiced in the courts of the Grand River country for two decades, and then retired to the seclusion of his farm not far from the town. Honored, beloved, and distinguished above his fellows, with every prospect of wider usefulness and growing fame before him, he voluntarily dropped out of the ranks to rest and read and

think and sleep and dream in the quiet hush of the wayside. The column marched on! That was only a generation ago, yet it is doubted if the younger members of this Association ever heard even the mention of his name. Such is the fame of the lawyer!

Coming West at the close of the Civil War, casting my own frail bark upon the troubled yet glorious sea of the law at Gallatin, during the many years of my residence there I enjoyed the personal acquaintance and often met and walked and talked with more than half of the rugged, stalwart old-time lawyers whom I have named. Proud of that personal and professional association, honoring their memory to-day, it is no reflection upon any one of them to say that forty years ago John A. Leopard was the ripest scholar, the widest, deepest, and best read member of the North Missouri Bar. His diction, whether in private talk or public speech, was always couched in strongest and clearest English, while his iron logic in its irresistible force and power was like unto that of John C. Calhoun. Then there was a musically rhythmic ring and swing to his lofty eloquence and pathos, his classical and poetical references, that charmed every thoughtful listener.

With the ambition common to men of his commanding genius, Leopard might have had, and could have filled with honor to himself, any office, political or judicial, within the gift of the people. But he was a Southern gentleman of the old school, gave no thought to fame or fortune, and preferring his books and his leisure to the limelight and the glory of public position and riches, he never sought either place, or power, or gold. He read much and thought more; and in his retirement became a walking, living, breathing encyclopedia of the world's history, philosophy, religion, poetry, music, arts, and

sciences, and this, with his broad charity and charming personality, made him one of the most interesting and instructive men of his time.

His heart and his manners were as simple and unaffected as those of a little child, yet he was a most unconscious and unambitious intellectual giant, whose like seldom comes to gladden the soul and brighten the pathway of a friend, or elevate the community in which he lives.

Since first I listened entranced to the music of his voice, I have heard many able lawyers, in many courts, but have always believed that the most pleasing, impressive, and instructive law argument to which I ever listened was one made by Leopard in a land case before Judge Robert L. Dodge, then presiding in the old common pleas court at Gallatin, away back in 1869. The case involved the doctrine of that dryest of all dry legal questions: "Covenants running with the land." Speaking without note or law-book, quoting from memory, citing volume and page, tracing the history, development, and philosophy of that doctrine from the learning of the ages, with apt illustrations showing the application of the rules of law to the facts in proof, he made it all as clear and as plain as the noonday sun. Just admitted to the bar, his argument was to me a marvel of learning and of logic. Yet it demonstrated the truth of this proposition, valuable to me in later years: That the law is not a deep, dark, mysterious science, but, on the contrary, that its most complex question may be made definite, certain, and luminous by patient research, study, thought, reflection, and logical analysis.

The last public address I heard Leopard deliver was on the Fourth of July, 1871, in front of the old court-house at Gallatin. The bitterness of the Civil War still rankled in

the hearts of the people; his own heart had gone out in sympathy to kindred and friends in his native Southland, yet loving the Union, the Constitution, and the old Flag, he had not raised hand or voice against either during the four-years struggle. Taking for his text the two lofty sentiments at that day on the lip of every one, "Love is stronger than hate" (the slogan of the successful party in the State campaign of 1870), and that sublime invocation, "Let us have peace," then recently penned by General Grant—he delivered a speech that for majestic patriotism, fervid and forceful oratory, I have never heard excelled. His strong, ringing powerful appeal for peace, good-will, and good citizenship so touched the heart and brain of all, that for it each hearer, when he closed, knew he was a better citizen, a more patriotic American.

Soon after this he retired from the activities of life, quit the town, went out to his farm, and there amid the quiet of home and family, the books and the magazines, the woods, the flowers and the birds he loved so well, like the sage and philosopher that he was, he calmly and fearlessly awaited the closing scene.

On the 31st day of July, 1905, at the age of seventy-seven years, this venerable lawyer, gifted orator, scholar, dreamer, patriot, and friend, unmoved and at peace with God and man, felt the touch of the gathering mists of death as he lay in that loved country home, surrounded by wife, children, and friends. He saw not their tears, heard not their sobs; for the lights were going out, the dream ending, and his dying eyes had caught a glimpse of the grasses, the flowers, the cooling shade, and the glories of the land beyond the River; the soft summer air, filled with song of bird and hum of bee, laden with perfume of roses, pinks, and new-mown hay, floated in through the open window, bringing balm of heal-

ing and of rest—forgetfulness—sleep—then “that golden key that opes the palace of eternity ” was gently turned and the great soul of John A. Leopard passed within.

HISTORICAL SKETCH—KANSAS CITY, Mo., 1909.

Address before Missouri Historical Society.

[Reprint from 4 Mo. Historical Review, page 1; also from 11 Kan. Hist. Coll'n, page 581.]

BEGINNING: “In the beginning God created the heaven and the earth.” Science often attempts to fix this at some particular period, but as no one knows certainly, this imperfect sketch of the history of Kansas City, Missouri, commences just where the Book does—“in the beginning.”

INDIANS: From the Creator of the universe, this part of the western hemisphere must have passed to the original proprietor of our soil—the Indian. For when the white man here first set his foot, at the dawn of our known history, the copper-colored Indian was here with his squaw, his papoose, and his pony, and in the actual, open, and undisputed possession and control of all that country which is now known as North America.

1492: The earliest successful European discoverer, explorer, and adventurer of this continent was Christopher Columbus, of Spain, in 1492. After his party, there came hither first his many Spanish successors, then the subjects of sunny France, and still later the English.

1540: It is more than probable, however, that the followers of the great Coronado were the first white visitors to this part of the country, and the time about 1541.

The historical facts relating to this ill-fated expedition

in brief are: That, following earlier reports which had already come to him, Charles V. of Spain, and his Viceroy in Mexico (New Spain), directed Coronado to explore and subdue for the Spanish Crown the city of Quivira and the seven cities of Cibola (Buffalo), without knowledge as to the precise location of either; that Castenada, who accompanied the expedition as its historian, twenty years later wrote out his story thereof for the King, and from his writings, as well as from many subsequent publications, the world to-day has all its information as to the success and failure of that undertaking; that Coronado first organized his forces at Compostella, Guadalajara, in Old Mexico, in February, 1540, but made his actual start from Culiacan, on the Pacific Ocean, in April of that year, with 350 Spanish cavaliers and 800 Indian guides; that during his two-years quest, either the entire or detachments of this expedition wandered onward east and north through (now) Old Mexico, Arizona, New Mexico, Colorado, and into the northeastern portion of Kansas, encountering *en route* and with strong arm subduing many recalcitrant Indian towns and villages, and treating with others who were more friendly; but that finally, disappointed and humiliated at his failure to find the gold, silver, treasure, and cities for which he sought, Coronado and his surviving followers returned to the City of Mexico, and thence on to Old Spain, about 1542.

It is also historically certain that about fifty miles northwest from White Oaks, in New Mexico, may be seen to-day, still mutely bearing the ancient name of "Le Grande Quivira," the ruins of a once great city, which Coronado sought and found not, but which present-day archæologists say must have contained a population of from 150,000 to 300,000. The dwelling-houses, as now shown by these ruins, were con-

structed with mathematical accuracy of blue trachite and limestone, while the two ruined temples stand far above all others, with nothing to mark their uses other than that which now appears as the form of a Portuguese cross in their front doors. Still traceable in this desert waste, irrigating-ditches indicate that this people once obtained their water supply from the adjoining mountains; but for more than one hundred years past no water of consequence has been found within many miles of the ruins. Skeletons of the human, as well as of the lower animals, are there found; old mining-shafts and crude smelters of ages ago are also found in that vicinity, but no mines of either gold or silver. While the prehistoric ruins of other once populous cities, in widely differing points in New Mexico and Arizona, furnish persuasive proof that these were once among the famed "seven cities of Cibola."

Among the many traditions and legends respecting the causes which led up to the wanderings of this expedition, and to-day believed by many Spaniards, Mexicans, and archæologists of the Southwest, are at least two that are worth preservation: The one is that on their eastward journey, Coronado and his party, almost famished for water, finally reached the big spring near the Indian pueblo in Taguex which is now Socorro, on the Rio Grande in New Mexico; that these Indian guides then knew that the city of Le Grande Quivira, the main object of Coronado's conquest and expedition, was only about ninety miles northeast of this point, but instead of guiding him there, they then purposely misled him and carried the expedition northward and up on the west bank of the Rio Grande del Norte and on into Kansas.

The other is that, concealing their abiding-place for many long years, from some remote country in the far North, mysterious sun-worshippers voyaged in their own ships to and

quietly purchased rich and abundant supplies of merchandise from the traffickers of the City of Mexico and of old Madrid in Spain, and that they were ever laden with gold and silver and precious stones, and the merchants assumed that they must represent a powerful and wealthy people who were skilled in the arts and sciences and lived in many-storied stone houses, with temples of wonderful magnificence, all enclosed within the walled city of Le Grande Quivira. However this may be, it is quite certain that the second Spanish expedition to that country, about 1549, did capture and subdue this ancient, prehistoric city and people, and then compelled all the residents of that vicinity to change their religion from worshippers of the sun to Catholicism. When the Toltecs, Aztecs, and Spaniards first came to the great Southwest, they found there, as elsewhere, the Indian. Through their priests and monks the Spaniards controlled all these natives, in that country, from about 1549 to 1680, at which later date the natives arose in their might and majesty, drove the foreign oppressors from their soil, and, curiously enough, after this lapse of about 130 years, at once resumed the dress, habits, customs, and religion of their fathers, and for many years thereafter held the undisputed possession of their native land. When the Spaniards returned to that country, about 1740, they found this once happy, flowery, and fertile valley a howling wilderness or barren waste; the once populous city of Le Grande Quivira deserted and with no trace of its former greatness beyond human skeletons and the ruins, while the shifting sands of the desert had covered the habitations of the people.

Between 1680 and 1740, it is probable that every form of man and beast capable of doing so escaped that country before some impending calamity and were gradually swal-

lowed up and lost in the adjacent country; but that all unable through age or disease to so escape, perished through the sulphurous fumes of the then recent volcano at the Mal Pais (Bad Country), then and now just south of these ruins on the desert plain. An extinct crater, visited by the writer in 1892, is still seen; while the lava-beds extend thence over fifty miles down that valley. Just who these people were, whence they came, whither and when they went, how they perished, are all questions which can not be accurately answered this side of the river called Death; but the lover of the mysterious and unknown, the student, archæologist, and thinker of the future, will stand amid these ruins, and will lament the fact with uncovered head, that so little of it all is known to man.

But the precise point now of especial interest to the people of Kansas City arises upon an analysis of the circumstantial evidence which points to the historical fact that at the eastern terminus of their long wanderings in search of the Quivira country, Coronado and his followers were the first white men to visit the very spot whereon now stands Kansas City.

There is a half legendary story to the effect that from the historic spot upon which he once stood in northeastern Kansas, Coronado and the forces under his command passed on to where Atchison, Kansas, is now located, thence down the Missouri to the mouth of the Kansas, and thence sixteen miles up the latter to Coronado Springs, later called Bonner Springs, in Wyandotte County, Kansas, where they spent the winter of 1541-42. It is known that Coronado's Spanish cavaliers, among other weapons, then carried and used as an implement of war halberds similar to the metallic Roman halberd, and in excavations in our Missouri River bottom lands within

the past few years there have been discovered and unearthed, in a splendid state of preservation, beneath many feet of alluvial soil, the metallic heads of two such halberds in this vicinity. The first is now in the possession of Professor Joseph A. Wilson, a distinguished archaeologist at Lexington, Missouri, and was found just northeast of Kansas City in this (Jackson) county; while the other is in the hands of a Catholic priest at Leavenworth, Kansas, and was discovered just across the Missouri River from that city, in Platte County, Missouri. These late discoveries point to the conclusion that Coronado and his men once wandered over these hills and prairies, and that at least two of his cavaliers lost their lives in this immediate neighborhood through either savage Indians or wild beasts, in both of which this country then abounded.

1584: Many scholars claim and few dispute the historic proposition that from the voyage and discovery of Columbus in 1492, the Crown as well as the statesmen of Great Britain longed to explore and own all the territory which later became America; and that Queen Elizabeth, "in the sixe and twentieth yeere" of her reign, and on March 25, 1584, attempted to grant all this vast domain to her then trusted follower, Sir Walter Raleigh. To those of the present day it is a trifle curious to note the fact that in this patent the Virgin Queen described the grantee thereof as "our trustie and welbeloued seruant Walter Raleigh, Esquire, and to his heires and and assigns forever"; and also designated this country as "remote, heathen and barbarous lands, countries and territories." This was the first step in the work of the English colonization of America, and while under the grant of this authority five different voyages were here made; yet that

country did not then succeed in making a permanent settlement upon American soil.

1607: In establishing a starting-point, known to all, it is well to here pause, look backward and reflect: That whether descended from Cavalier, Puritan, or Huguenot, the average American citizen has inherited and to-day holds, either consciously or unconsciously, many of the thoughts and theories of his remote ancestors, and that heredity, environment, and education largely determine and fix our political and religious faith. And it should be remembered that the United States was originally founded and the first permanent settlements were here first made by peoples of widely divergent views on both politics and religion under the authority conferred by three royal English grants to American colonists, as follows: Jamestown, in Virginia, in 1607; Plymouth, in Massachusetts, in 1620; and Charleston, in South Carolina, in 1660.

1609: In the seventh year of his reign, James I., then King of England, by his royal patent dated May 23, 1609, granted to "The Treasurer and Company of Adventurers of the City of London, for the first colony of Virginia" (the same sovereign made the first cession to that colony in 1606) "all those lands, countries, and territories situate, lying, and being in that part of America called Virginia," from Cape or Point Comfort, a strip of land four hundred miles in width and therein designated as being "up into the land throughout from sea to sea." This cession from the Atlantic to the Pacific Oceans sought to make this part of the territory not only English, but within and part of the Colony of Virginia, for Kansas City is located on this 400-mile wide tract of land running from "sea to sea."

The subsequent European claimants were as follows:

1682: Ceremonious possession was taken of all that country which afterward became the Louisiana Purchase, by, for, and in the name of Louis XIV., then King of France, at the mouth of the Mississippi River, on April 9, 1682, and this portion of the country was then given the name of that sovereign. While that claim was made and thereafter maintained, yet the undisputed possession thereof did not actually begin, nor was there here made any permanent settlement, until the year 1699. New Orleans was founded in 1718, and permanent seat of the French Government was there established in 1722. In the meanwhile Louis XIV. first granted this entire province to one Anthony Crozat in 1712, and his occupancy being a failure, later and in 1717 granted a similar charter to John Law. This, too, proved a failure, and in 1732 both charters were cancelled and all this country reverted to the Crown of France. But in history, song, and story may yet be read and studied with profit the final failure of the John Law scheme under the name of the "Mississippi Bubble."

1763: Then in that stormy struggle between England and France to settle and adjust their conflicting claims to this territory and their international disputes growing out of the French and Indian wars, by the treaty of Fontainebleau, duly ratified by the crowned heads of France, England, and Spain by the treaty of Paris on February 10, 1763, all the claims and possessions of France in all this country lying to the eastward of the Mississippi were ceded and granted to England, while all other portions of this country were then and thereby ceded to Spain.

This treaty fully made the ground upon which Kansas City stands again Spanish. Without apparent knowledge of this treaty of Paris, the city of St. Louis, in Missouri, was laid out, founded, and named in honor of Louis XV. of France, in 1764; but in the following year Louis St. Ange de Bellerive there assumed the reins of government. Then came Count Don Alexandro O'Reilly, under the authority of the King of Spain, with an armed force, and formally took possession for the Spanish King on August 18, 1769. From this date on, and in fact up to 1804, this territory was subject to and under the command of the Spanish Lieutenant-Governor of Upper Louisiana, whose seat of government was the city of St. Louis

1800: But Europe was in turmoil, the great Napoleon was in the saddle and disarranging the map of all that country. No one seems to have known just what was coming next. So, after many conferences and negotiations, the two countries of France and Spain at last got together and the result was the terms and conditions of the definitive treaty of St. Ildefonso, entered into on October 1, 1800, by Napoleon, who was then the First Consul of the French Republic, on the one side, and the King of Spain on the other, by which all this country was retroceded to and again became a part of France.

1803: Immeasurably greater in all ways than any other land transaction of earth, either before or since, and of vaster direct personal concern to the people of America than all other treaties combined, in this year came the purchase and cession of Louisiana. The War of the Revolution had been fought and won, by our treaty of peace and cession, concluded with England in 1783, the United States had been granted all public lands, east of the Mississippi River (except in Florida),

not owned by the original thirteen Colonies, the Federal Constitution had been proclaimed adopted in 1789, George Washington and John Adams had been and Thomas Jefferson then was the President of the United States of America. Then it was that almost unaided and practically alone, Robert R. Livingston, as our principal representative at the French Court, concluded with Napoleon Bonaparte, still First Consul of France, on April 30, 1803, the treaty of cession under and by the terms of which the French ceded and granted to the United States all that vast empire since known in history as the Louisiana Purchase. For a period of more than one hundred years one of the illusions of our history has been that, as our President, Thomas Jefferson then was and to-day is entitled to all the credit, honor, and glory of this great transaction. But a free people may always consider the truth of history. Jefferson was a cautious and conservative statesman. The historical facts, then well known, in brief are: That under the uncertain and somewhat contradictory instructions from our Government at Washington, our diplomatic representative who mainly negotiated this great treaty was authorized and directed, not to acquire this empire, but "only to treat for lands on the east side of the Mississippi." In other words, to acquire (among other rights) that part of the Purchase then known as the City and Island of New Orleans.

The Government at Washington did not, at first, dream of acquiring one foot of the unknown land west of the Mississippi River. The scheme to sell and cede to the United States all French possessions on this side of the waters originated in the fertile brain of that marvelous man, Napoleon Bonaparte, who proposed to dispose of it all, because, as he then said, France "had to sell." Livingston had no authority to negotiate for the purchase of anything save the city and island mentioned; indeed, to do so was beyond and in practical

violation of the instructions of our Government. Yet, with far-sighted statesmanship, rare courage, and sagacity, he saw the tremendous advantage of the Purchase to our country, wisely and bravely assumed the responsibility, closed the negotiations, and concluded this treaty. Hence to Napoleon's offer to sell, and Livingston's wisdom and courage in buying, we are to-day indebted for the Louisiana Purchase. Livingston then said: "This is the noblest work of our lives."

When the treaty reached Washington in that summer, the administration was astounded at the audacity of Livingston as well as with the immensity of the transaction. President Jefferson at that period inclined to the opinion that our Government had no lawful right to buy or hold the purchased territory; talked and wrote about making "waste paper of the Constitution," and even went so far as to formulate, with his own hand, an amendment to the Federal Constitution providing for the government of the Purchase in the event that the Senate ratified the treaty. Great Livingston again went to the front and so strongly urged its ratification that the President finally yielded, and duly submitted the treaty for ratification, but suggested that but little be said about the constitutional question involved, but little debate be had, and that the Congress should act in silence.

Notwithstanding the doubts and fears of the executive and the fierce opposition, the Senate wisely took the broad national view that the right to acquire territory by conquest or purchase and govern it was inherent in every sovereign nation, that ours was a sovereign nation, and accordingly the Senate, by an overwhelming majority, ratified the treaty and the Congress soon passed laws for the government of the Purchase, thus vindicating the sagacity, wisdom, and statesmanship of Livingston as well as the sovereignty of the United States.

Thus it came about that for the consideration named and about \$15,000,000 of money, the United States purchased and France ceded to this Government all the land that had been theretofore retroceded by Spain to France. Of this cession Napoleon then said: "This accession of territory strengthens forever the power of the United States; and I have just given to England a maritime rival that will sooner or later humble her pride." And in his message transmitting this treaty to Congress, which caused it proclaimed on October 21, 1803, in noting the possibilities of this Purchase, President Jefferson then said: "The fertility of the country, its climate and extent, promise in due season important aids to our treasury, an ample provision for our posterity, and a wide spread for the blessings of freedom and equal laws." All this occurred before the days when steam and electricity were harnessed and working for the use of man, and is therefore not so strange. Then the average American had no adequate conception of the West: the bulk of our population lived east of the Alleghanies; and the people of the Atlantic seaboard knew even less then than they now know of our country lying west of the Father of Waters. This cession included almost all of the now States of Louisiana, Arkansas, Missouri, Iowa, Minnesota, Nebraska, Oregon, Oklahoma, Kansas, the two Dakotas, Idaho, Montana, Washington, and Wyoming. Of late maps have been published and books written to prove that this purchase did not extend beyond the crest of the Rocky Mountains; but a study of Congressional debates upon this question will convince the scholar and thinker that all the States named, and parts of others, were intended to be included. On October 31, 1803, the Congress duly authorized the President to take possession of and occupy this territory, and on December 20, 1803, formal possession thereof was duly delivered by the Republic of France, through Laussat, its Colonial Prefect, to

the United States, through W. C. C. Claiborne and James Wilkinson, as Commissioners of our Republic.

1804: For a few months after this purchase, all this country was known and designated as the Territory of Louisiana, but this was changed, by our Congress, on March 26, 1804, the now State of Louisiana and a part of that which is now Mississippi was designated the "Territory of Orleans" and all the remainder of the Purchase was then called the "District of Louisiana"; and that Congress then further provided that the executive and judicial power of the Territory of Indiana should be extended to and over this District, and "the Governor and Judges" of that Territory were therein given the authority to enact laws for and hold their courts therein. So in May, 1804, Governor William Henry Harrison, from the seat of justice of Indiana Territory at Saint Vincennes on the Wabash River, rode over on horseback to the city of St. Louis to ascertain the wants of our people in the way of laws and courts. Having satisfied himself on these scores, this Territorial Governor returned to his home, and during that and the following year "the Governor and Judges" of that Territory enacted and here enforced such laws as they deemed were needed by this "District."

In the spring of this year, too, the great Lewis and Clark expedition started from the city of St. Louis and came up the Missouri River and passed the site of Kansas City, on its way to the Pacific Ocean. The wondrously strange history and vaster possibilities of this expedition of 1804 and 1806, under the title of "The Conquest," has recently been well written and printed by Eva Emery Dye, of Oregon.

1805: On March 3, 1805, the Congress of the United States enacted a law which not only changed our official name from the "District of Louisiana" to the "Territory of Louis-

iana," but provided for our first local Territorial self-government. That Congressional Act conferred upon the Governor of this Territory full executive authority, while the legislative power and power to enact and enforce all laws was therein granted to that "Governor and the Judges, or a majority of them."

1808: The most important and far-reaching Indian treaty that was ever made anywhere, affecting early Missouri, was that treaty which upon its face recites the fact that it was "made and concluded at Fort Clark, on the right bank of the Missouri about five miles above Fire Prairie," on November 10, 1808, and that this Fort was then located "on the south side of the Missouri, about three hundred miles up that river" from the city of St. Louis.

This treaty was between the Big and the Little Tribes of Osage Indians and our Government, and by its terms those tribes, then being in actual possession, ceded and granted to the United States all lands lying eastward of a line drawn due south from Fort Clark, and running from the Missouri River to the Arkansas River. This then left as Indian lands and country all westward of the line so drawn.

Upon their slow voyage up the Missouri River on their way to the Pacific Ocean, in 1804, Lewis and Clark had first established this Fort, and then named it in honor of the junior member of their exploring party. After the ratification of the great Indian treaty of 1808, and as a tribute to the memory of the Osage tribes of Indians, the name of the place was changed from Fort Clark to Fort Osage, and still later was again changed to Sibley, to perpetuate the name and fame of George C. Sibley, who was at one time the United States Government agent at that point.

If any archæologist is now curious to know just where to locate the site of ancient Fort Clark, the task is easy: Set

up a compass anywhere on the Missouri-Kansas line, run due east twenty-four miles and thence due north to the Missouri River, and there may be found to-day the city of Sibley, in Jackson County, Missouri, once Fort Osage and still earlier Fort Clark.

1812: By an Act of Congress, which commenced "to have full force" on the first Monday in December, 1812, the name of this portion of the country was again changed from the "Territory of Louisiana" to the "Territory of Missouri": and executive, legislative, and judicial powers were then for the first time vested in and conferred upon our own peoples. Although the fathers then knew all about the Missouri River from near its source to its mouth, yet this was the first Federal recognition of the name now so well and highly honored—Missouri. This Act did not change our boundary lines and the Territory of Missouri then embraced and had jurisdiction over all the Louisiana Purchase, excepting only the extreme southern portion thereof, as stated. All general laws governing this Territory from 1803 to 1821, both Congressional and Territorial, may be found in print in Volume 1 of the Territorial Laws of Missouri.

1820: The enabling Act of the Congress of March 6, 1820, was passed to authorize the people of this Territory to form a State and adopt a Constitution for their own government. The boundaries of the future State were then first fixed as they to-day remain, the "Platte Purchase" of 1837 excepted. Our delegates thereupon duly formed, adopted, and on July 20, 1820, sent to that Congress a State Constitution, which was not satisfactory to our national law-makers.

Upon the questions raised in the discussion of the enabling Act was fought the most terrific political battle that had ever been waged in this country up to that time. It is known in history as the "Missouri Compromise of 1820," and

for length, intensity, and bitterness this struggle then had no parallel in American history.

1821: The final result was that on March 2, 1821, the Congress by resolution provided for the admission of this State into the Union, with slavery, but "upon the fundamental conditions" named in the Act. On June 26th following our Legislature entered its protest against that condition, but gave its reluctant assent to its terms, and lastly, on August 10, 1821, James Monroe, as President of the United States, proclaimed the historic fact that on that day Missouri became, and it has ever since been, a State of the American Union.

The organization, Constitution, and admission into the Union of the State of Missouri then left all the remainder of the Louisiana Purchase lying westward and northwest of this State, as unorganized Territories, possessions of this Government, then subject to Congressional legislation, but having no laws of their own, excepting those theretofore passed by the several sovereigns named.

1825: The original proprietors, known as the Big and Little Tribes of Osage Indians, having relinquished their titles to all lands lying east of a due south-and-north line drawn from old Fort Clark to the Arkansas, in 1808, as stated heretofore, this left a strip of land twenty-four miles in width, lying due eastward of the west line of this State, and running from the Missouri River to the Arkansas River. The Indian title to this strip of land was relinquished by them and ceded to the Government of the United States by the terms of the treaty of Nampawarrah, or White Plume, of date June 3, 1825. From these Indian tribes the Government then derived its title to them, and not until then did the United States, as a part of the public domain, come into full and complete possession, ownership, and control of the lands upon which Kansas City now stands. This strip of land was soon opened up for

entry, purchase, and settlement. Hundreds of hardy pioneers with their wives and children were waiting on the border line, and when the day came that they could lawfully do so, these men here made the first great "rush" on record for Indian lands.

1826: Jackson County was organized under the General Assembly Act of date December 21, 1826, and the first session of its county court was held at Independence on July 2, 1827. But prior to this time the lands now embraced within the limits of this county had by law been theretofore included within the borders of the counties, successively, of St. Louis, Howard, Cooper, Lillard (name later abolished), Lafayette, and finally Jackson.

1828: When the title to this strip of land was fully vested in the United States by the extinguishment of the Indian title in 1825, the eastern portion of Jackson County had been settled for some years; as early as 1821 a number of French-Canadian trappers, traders, and hunters had squatted upon and occupied lands along the Missouri River front; but the first white American to make a permanent entry of and settlement upon lands now included within the boundaries of Kansas City, was James H. McGee, whose patent for his 320 acres of this land bears date November 14, 1828.

1833: Under a grant of legislative authority, the town of Westport, now within and a part of Kansas City, was established in 1833, and for many a long year thereafter the few people who lived in the straggling hamlet along the Missouri River front, and at the steamboat landing here, were known only as citizens of Westport Landing.

1839: In the report of his explorations of 1673, Marquette first mentions the Kansas tribe of Indians as being "on the Missouri, beyond the Missouris and Osages," and from

that tribe the Kansas River derived its name. The name of tribe and river was both spelled and pronounced in very different ways by the explorers, but Kansas City was originally so named to perpetuate both, and was first platted as the "Town of Kansas" in 1839.

1850: On February 4, 1850, the Jackson County court, by its order of record entered at Independence, first formally and duly incorporated the "Town of Kansas," and then gave to the people, near the mouth of the Kansas River, their first local self-government.

1853: By a special Act of the Missouri Legislature, duly adopted on February 22, 1853, the name of the "Town of Kansas" was changed to the "City of Kansas," and on that day we first became an incorporation under the laws of this State. Various amendments were later made to that charter, and by the first freeholders' charter, adopted by our people under grant of constitutional authority in 1889, the name was again changed from the "City of Kansas" to "Kansas City." But for many long years now this city has properly and proudly borne its present name of Kansas City, Missouri.

1854: It may again be here noted in passing that all that country from the westward line of Missouri to the crest of the Rocky Mountains was and officially remained unorganized "Indian country" up to 1854. Repeated efforts had been theretofore made by the Congress of the United States to segregate it from the State of Missouri, and bills had been introduced at Washington to make it all into one Territory under the name of Platte and Nebraska; but finally, on May 30, 1854, the Congress adopted an Act, known throughout the English-speaking world as "The Kansas-Nebraska Act," under which these two were created and erected into Territories on the same day. Kansas became a State of the American Union on January 29, 1861, and Nebraska on March 1, 1867.

In the "Historical Sketch" of Kansas City, printed as a preface to our annotated charter and revised ordinances in 1898, appear in full the facts relating to two amusing incidents of that which might have been: The one is that at the first platting and naming of this city, in 1839, one of our early and wealthy settlers, who always signed his name as "Abraham Fonda, Gentleman," because he was not a working-man, earnestly desired that the future city be named in his honor as "Port Fonda." He was about to succeed in this when, unfortunately for his fame, he became involved in a fierce quarrel with another part owner named Henry Jobe. The combined efforts of the old "Town of Kansas" company and Jobe's threats of fist and shotgun finally prevailed and are responsible for our present name. The other is that in 1855 a concerted effort was ineffectually made to cede and grant all lands lying west and north of the Big Blue River, from the point at which that historic stream crosses the Missouri-Kansas line near the ancient town called "Santa Fé," down to its mouth on the Missouri, to the then Territory of Kansas. Had the former scheme won out, Kansas City would now be "Port Fonda," and had the second won, we should now be in and a part of Kansas.

1909: Through all the seething and roar, the bustle and the hurry, the buying and building, the enlarging and progress of the years intervening between 1839 and 1909, Kansas City has ever pursued the even tenor of its way, the Kansas City spirit pervading city and country alike; nothing save an invisible line divides the two great municipalities near the mouth of the Kansas, and the stranger within our gates would not dream of its existence; while, between the two combined cities and their suburbs, we now have a population of half a million of happy and prosperous people, all hopefully con-

fidant that the future of Kansas City will be even more glorious than its past.

The text of this book was completed in 1909, but publication was so delayed that three published utterances of mine in 1910 are here inserted:

REMARKS ON THE PASSING OF MRS. VAN HORN, 1910.

The silver cord was loosed and the golden bowl broken when the devoted helpmeet of my friend, Colonel R. T. Van Horn, passed from earth in July last. As the long-time personal friend of that family, I answered their call and, among other things, spoke the few words of an old neighbor:

[Reprint from *Kansas City Journal* of July 27, 1910.]

In the presence of that natural yet mysterious change from this life to the next, no matter when, where, or how it comes, the survivors always stand face to face with one more human tragedy.

But in now bidding good-bye to this neighbor and friend, our selfish grief for our own loss is here swallowed up in heartfelt condolence for her bereft companion, who for nearly sixty-two years was the honored husband of, and walked and talked with her whose going away we deeply deplore, and whose gentle memory we honor and revere; for now, alone, in his eighty-seventh year, he drains the bitterest cup that can touch the lips of man. Our sympathy goes out, too, to the stricken son, who is the sole survivor of her four stalwart boys, and to her other kindred, as well as to the legion of friends of this good woman.

Strong and vigorous of mind and body, clear of head, and warm of heart, without the shadow of ostentation or parade, the people of this community for fifty-five years have known

and felt that in her forceful personality, gentle manners, intelligent and broad charity, the life and example of Mrs. Van Horn have at once proven a blessing and a benediction to all who knew her; while as wife and mother, neighbor and friend, she daily exemplified the attributes of a model of the truest and best in womanhood.

To her memory, as well as to truth, it is but simple justice to say here that for many years Mrs. Van Horn always answered with an emphatic "Yes" the world-old inquiry propounded away back in the Book of Job: "If a man die, shall he live again?" In this circle of her friends, I violate no confidence in the mention of this personal incident: When I was ill down at Washington, a decade ago, she and I there had a long neighborly talk about the hereafter. That which as clearly as the sunshine at noonday presented itself to her as continuing in the beyond the present existence in a natural way, to me seemed a dim and unknowable mystery. But in her quiet, motherly way and without the slightest intent to proselyte, she then mentioned as plain, simple facts: That her husband was brought up in the Presbyterian faith and she in the Methodist; but so exalting were their solace and pleasure in communing with children and friends who had preceded them to the Spirit World, that she blessed the day when both had embraced the newer cult, and added: "We would to-day be most miserable if this consolation were not ours."

Comprehending nothing beyond Nature; knowing nothing of future life, following neither creed nor dogma, conceding to others the absolute right to believe whatsoever they may, to me the faith and belief of Mrs. Van Horn is to-day as sacred as any other; for long ago I learned that it was neither safe, nor sane, nor tolerant for me to question the truth of any belief simply because I did not understand it. So, in this respect, but one proposition now seems clear, and that is,

that any faith, hope, or belief as to the hereafter, that satisfies the longing of any one human soul, is the highest and best religion for that particular individual.

At a "Van Horn night," held in the Greenwood Club here some years ago, both the Colonel and Mrs. Van Horn were present. Many old-time friends spoke at length, and there reviewed the achievements of Colonel Van Horn, who in his long, busy, useful career as the owner and editor of the *Kansas City Journal*, commander in the Union Army during our Civil War, State and national legislator, and as a public official at home, had accomplished so much for the great West that he was justly recognized as our foremost citizen.

In his short, clear, characteristic response to all this, the Colonel modestly disclaimed especial personal credit, and then added: "Whatever of honor or praise is due for all these results, must be attributed to the fact that when absent from here, I could always devote all my time to the duty before me, because I always knew that *all was going well at home*." A loftier tribute to a noble, patient, faithful, and helpful wife, no man ever paid to a woman. Her body now rests in peace in this casket, and with her, throughout all the ages that yet shall be, all will still go well at home.

SLAVERY, ITS ORIGIN, EVOLUTION, AND END.

[Reprint from the *Cañon City Record*, 1910.]

EMANCIPATION DAY, August 4, 1910.

Miss Virginia Rudolph, Canon City, Colorado.

MY DEAR GRANDDAUGHTER:—Now that your mother and you are away from home on your summer vacation among the Rockies, it is not to be expected that you will there get and keep in your little head very much of the many useful items of the fast-fading history of your country; but as this is Eman-

cipation Day, and now that I think of it and have the time, I here jot down for future reference a few facts not generally recognized, as to one important question with which you ought to be perfectly familiar in the years that yet shall be—negro slavery :

The first permanent European settlement on American soil was established at Jamestown, Virginia, in 1607. At and prior to that date the English law had made over one hundred offenses *capital* crimes, the punishment for which was either death or banishment, at the pleasure of the sovereign. Soon after this settlement at Jamestown, the British Crown banished to the Virginia Colony three ship-loads of these convicts, who were adjudged guilty of trivial offenses, and those who came over on the *first* ship were then styled the First Families of Virginia. So to-day we still speak of the F. F. V.'s in a proud sort of way, without considering the fact that originally those who called themselves F. F. V.'s were not exactly the highest and best people of earth. Of course, no such bar sinister rested upon the escutcheon of the great majority of our early-day Colonists, for they were stainless; but the mists of Time obscure some facts.

In the latter part of 1619 a Dutch ship landed at Jamestown a cargo of twenty African slaves, and that was the beginning of negro slavery on American soil. From Jamestown this peculiar institution spread throughout the Colonies to such an extent that when our Federal Constitution was adopted in 1789, negro slavery was lawfully recognized in every State in the Union. Indeed, the only part of this country where such slavery was not lawful at first was in the far south Colony of Georgia. That Colony was originally settled by ex-convicts and malefactors, but among the wise and humane laws there enacted under the direction of Governor Oglethorpe, was a law which absolutely prohibited negro slavery in Georgia, and

from the beginning up to 1752 the sweet sunshine of heaven rested on no Georgia slave. Then the law was repealed and the people of that Colony (and later State) owned negro slaves thenceforth to the taking effect of Lincoln's great Emancipation Proclamation on January 1, 1863.

Meantime many great and good people of the South grew weary of the burden of slavery, and the Colony of Virginia, through its House of Burgesses, protested twenty-three different times against the British Crown permitting the importation of other and further negro slaves into that Colony. These repeated protests were unheeded; the profits of the slave trade were so enormous that despite the passage of Acts of our Congress against the further importation of slaves, that trade continued up to the Civil War, beginning in 1861.

Born and reared among the slaves of Virginia and their owners, spending much time since 1861 among the people of all our States in the South, I *know* that away back in slavery days the whites of that section of our country did not regard as an unmixed blessing or evil the institution referred to. From one generation to another slaves were handed down like other personal property, and thousands inherited their blacks who hated slavery. But what could they do? Laws provided, and justly so too, that if and when an owner freed a slave, then that the person and property of the former owner was bound for the future conduct of the manumitted slave; he must give bond that the slave should not become a public charge, while the former slave in most cases could not and would not properly care for his future. In that day slaves were worth on the market from a few dollars up into the thousands of dollars, and therefore self-interest, if not humanity, required and demanded their fair and humane treatment. So that in most instances the negro was better off then than now. If sick,

the master fed, clothed and doctored him, and looked after, cared and thought for him, in both sickness and health.

Business interests and dollars, not sentiment, dominated the earlier settlers of America, and the people there were not long in learning that neither cotton nor sugar cane could be grown at a profit in the far northern States, and for that reason alone it did not pay to there own and work negro slaves, and slavery was abolished prospectively. Our God-fearing Northerner did not emancipate and thus free his slaves, but enacted laws providing that on and after a certain date slavery should not be lawful in the particular State, and then between the date of the passage of the Act and its going into effect, piously and prayerfully sold his slaves on auction-blocks down South. That is *why* and *how* the institution of slavery ceased to exist in our Northern States. Only the few ever know or understand history. But the basic error is that both sides present this question with such consummate skill as to make the exception seem the rule. It's always easy to fool people who want to be misled.

When our Big War commenced by the firing on Fort Sumter on April 12, 1861, slavery was not only lawful, but actually existed, as I now recall history, in fifteen of our Southern States, but only eleven of those States seceded from the Federal Union—Missouri, Kentucky, Maryland, and Delaware retaining their slave property and remaining in the Union.

The Emancipation Proclamation upon its face and by its express language affected *only* the slaves in those States and parts of States which on January 1, 1863, "were in actual rebellion against the United States." So that it did not touch slave property in Missouri, Kentucky, Delaware, Maryland, nor in that which is now West Virginia, nor certain parishes in Louisiana, etc. In all these border slave States that institution remained lawful until within their respective sovereignties

slavery was there abolished, beginning with the State of Maryland on the first day of November, 1864, followed by Missouri on January 11, 1865; while freedom did not come to *all* the slaves of *all* our States until the proclaimed adoption of the 13th Amendment to the Constitution of the United States on December 18, 1865.

Now, if you will study and make all this your own, you will know more about the history of the slavery question than most of the present generation ever dream of knowing.

Adios.

H. C. McD.

GILBOA CHURCH, FAMILY REUNION, 1910.

[Reprint from Fairmont *West Virginian*, September 17, 1910.]

Judge Henry Clay McDougal, of Kansas City, who was a distinguished visitor at the reunion of the McDougal, Dudley, and Boggess families at Gilboa, Wednesday, gave the principal address of the day, dwelling upon an historical sketch of the families assembled. The address is given below:

My Kindred and Friends:

Back again to the land of my birth, standing once more among the kindred, neighbors, and friends of my early years, whom I left for the Big War nearly half a century ago, there comes to me now the impulse to quote the words of Rob Roy, that other wandering and somewhat lawless son of old Scotia: "My foot is on my native heath and my name is MacGregor."

Then, again, the truth and the wisdom of a familiar saying of the Nazarene here and now appeals to me as never before, "A prophet is not without honor, save in his own country, and in his own house." For in this presence I am conscious of the fact that my personal status is here like unto that of my lawyer friend Miller, of Indianapolis. When Benjamin Harrison was inaugurated as our President, one of his first official acts was the appointment of his old law partner as the Attor-

ney-General of the United States. Soon after qualifying, Miller returned to his old home in Pennsylvania as I have come back to mine in West Virginia, and later on told this story of his visit: At the little station not many miles over the hills from his childhood home, General Miller, an utter stranger and in a strange land, found that an old farmer was going in his wagon over near his father's farm. Over the mud they rolled in silence for a time, when this conversation occurred between them: "By the way," said Miller, "an old farmer named Miller used to live in this neighborhood, didn't he?" The farmer answered, "Yas." "The old man had a lot of boys, didn't he?" "Yas; three or four." Then, with heart swelling with honest pride, Miller inquired: "Wasn't one of these boys lately appointed to some high office?" "Yas; we heerd so." "Well, what did the old neighbors say when they heard the news of this appointment?" "They didn't say nuthin'; they jist laft!"

But seriously, now: As the devout Mohammedan turns his face toward his shrine in offering up his daily prayers, and fails not to make pilgrimages to his Mecca, so, no matter where he may rove, the heart, face, and pilgrimages of the native of old Marion County are always turning backward to his childhood home. Born and reared just across the hill from this old church and grove, my early years were here passed among you, and when comes the closing scene, no doubt it will be said of me, as long ago it was said of bluff old Falstaff: "He babbles of green fields." This great creation of greater Shakespeare as he lay dying, talked of the fields of old England; but with love, affection, and reverence, my own thoughts may then wander back to the trees and the "green fields" of old Marion County, as these grow and flourish in heaven's sweet sunshine around old Gilboa on Dunkard Mill Run.

As blood is still thicker than water, it is but natural that the descendants of the three families whose lives and achieve-

ments we here celebrate insist that the clans Dudley, Boggess, and McDougal originally stood high above all others on the roll of fame on Dunkard Mill Run; but the call of the roll of those who drank the waters of this Run half a century ago, when I was a young, barefoot, freckled-face boy and got stone-bruises on my feet and fought with other belligerents of this entire scope of country, would be found to include such other good men and true as Morrow, Morris, Martin, Straight, Morgan, Walmsley, Wilcox, Atha, Toothman, Robey, Brown, Hawkins, Poling, Davis, Laidley, Ice, Gribble, Pitzer, Evans, Sharp, Miller, Prichard, Youst, Veach, Wilson, Sturm, Billingsley, McVicker, Fawcett, Jones, and Upton.

The families of Dudley, Boggess, and McDougal of their slender frontier stores contributed their full quota of money or money's worth to the building of the first Gilboa Methodist Church on these grounds; and only a few days ago, down near Fairmont, my aunt, Mary Catherine Clayton, showed me an old booklet, in which was written, in the fine but elegant handwriting of my great-grandfather, Lindsay Boggess, accurate accounts of the money, labor, "meal or malt" of the early pioneers who also contributed their full share to the erection of that church on May 1, 1814, and among these other earnest woodsmen I find the names written of many other families, and among them can there to-day be seen the names of Amos, Brown, Boor, Campbell, Clayton, Dawson, Davis, Dragoo, Freeland, Foreman, Fletcher, Fluharty, Huffman, Hall, Higginbotham, Ice, Jones, Kearns, Laidley, Megill, Morgan, Merrill, Martin, Metheny, Moran, Miller, Prichard, Price, Parker, Pitzer, Prickett, Quigley, Rice, Shackelford, Squires, Snider, Satterfield, Straight, Thompson, Toothman, Upton, Willey, Wilson, and Youst.

A few words now about the early history of the three families, Dudley, Boggess, and McDougal:

The house of *Dudley* originated, so far as history contains its record, at the town of Dud in England in the seventh

century, and since then until their descendants came to the American Colonies, through the veins of the Dudleys there coursed the purest, tenderest blood of the nobility of merry old England. Men of peace as they always were, some of the earlier Dudleys were not averse to the conflicts of their times, but the only real hard fighters of that family I ever knew personally were Fleming Dudley, who presides over this reunion, and my great-uncle, Samuel Dudley, who on this Run, away back more than a hundred years ago, intermarried with and became the husband of Margaret ("Peggy") McDougal, a sister of my grandfather, John McDougal. Samuel Dudley died at a ripe old age near here, and was the only sailor and soldier of the American Revolutionary War under the command of George Washington I recollect ever to have seen. Just what ones of the Dudleys first came to America, or when or where they located, I do not know; but it is certain that at an early date more than one male member of that family came from England to the Colony of Virginia.

The *Boggess* family originally came from Spain, where the ancient family name is still preserved and still spelled "Boggio."

It is probable that those of the name who first came to the American shores for a time sojourned in Wales, but the first ancestor I have been able to definitely locate was a pleasure-loving, cock-fighting, horse-racing planter of Fairfax County in the Colony of Virginia named Robert Boggess, who was indicted, along with George Washington and others, in 1760, at Fairfax Court House, for failing to return for taxation to the Colony's assessor his "wheeled vehickles." From this Robert Boggess, our direct descent is through his son Henry, then Lindsay, then my grandfather, Henry, and last my mother, whose maiden name was Elvira Ann Boggess.

The clan *McDougal* originated in the Highlands of Scotland, where at the dawn of history the name was spelled "Dhu-Gal."

The family then owned all the islands off the west coast of that country, but in some way later possessed all lands on that coast, and still later at one time, about 1306, fought with and overthrew King Robert Bruce and for a short time, through their chieftains, ruled the whole of Scotland; then they were in turn overthrown by the Bruce, who killed all its clansmen capable of bearing arms save two hundred and eighty-eight, and since that day the clan has not been an important factor in that or any other government.

Their tartan is still preserved, as is also the coat of arms of the clan, which bears the Latin legend, "*Vincere vel Mori.*" Liberally translated, this motto means, "We conquer or die." In the sixty-five years of my life I've known many McDougals, but never knew one that wouldn't rather "conquer" than "die." Their determination and stubbornness have always been proverbial—a family failing.

About 1770 the church government of the District of Lorne in the Scottish Highlands sent from there to a small flock of Presbyterians who had theretofore settled on the Monongahela River, in the Colony of Virginia, a talented young preacher named William McDougal, to administer to the spiritual wants of these settlers. William McDougal there married a Miss Brand and there his two children were born. He was my great-grandfather. His oldest child was John McDougal, my grandfather, born February 29, 1776; and his daughter was "Peggy," who later married Samuel Dudley; and both these children were born at what is now Morgantown in this State, and later lived on Dunkard Mill Run.

The Dudleys were on Dunkard Mill Run when my grandfather McDougal came here in 1798 and Lindsay Boggess in 1810. For generations the McDougals had been Presbyterians in the Highlands and the Boggesses were Church of England people in Fairfax County in Virginia. But at that early day they found here neither a Presbyterian nor an Episcopalian—all were Methodists. Wisely they waived their church pref-

erences and joined with the Dudleys and other frontier neighbors in this vicinity, and with them here organized this congregation just a century ago. At first they then met around at the homes of the pioneer neighbors; but worshipped here after the completion of the original old log church in 1814—by them called “The Gilboa Meeting-House.” That was the first congregation organized and this the first church erected within the present limits of Marion County. My great-grandfather, Lindsay Boggess, then gave to this church these grounds, including your beautiful grove and the big spring.

As a boy, I was present in 1858 with my two grandfathers and my father, John Fletcher McDougal, when the original old log building was razed for the erection of this edifice on its site, and recall now that they, with Uncle Elias Dudley and other old-timers, then told me the early history of the Gilboa congregation; and among many other things, said that Grandfather John McDougal was here your first class-leader for thirty-five consecutive years, always came on horseback across the hill, attended divine services with the regularity of clock-work, and in all that time never once failed to hitch his saddle-horse to a limb of the same oak tree in this grove. In the race of life the people of this community thus started right; and I am glad to see that in this regard the generation of to-day treads in the footsteps of our ancestors. So it does me good to here and now join in this first family reunion with so many hundreds of other descendants of the founders of old Gilboa. May the day never come when you shall cease to obey the farewell admonition of the great Law-giver to the children of Israel: “Remember the days of old, consider the years of many generations.” To annually consecrate your lives anew to cherishing the memory and emulating the virtues of the early settlers of Dunkard Mill Run can bring you nothing but good, for in their lofty example we all “have a goodly heritage.”

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